

Journal *of* Proceedings
of the
Senate
of
Maryland

2012 Regular Session

Volume V

Compiled and edited by:

Donald G. Hopkins
Journal Clerk

...

William B.C. Addison, Jr.
Secretary of the Senate

Library and Information Services
and
Legislative Document Management
of the Department of Legislative Services
General Assembly of Maryland
prepared this document.

For further information concerning this document contact:

Library and Information Services
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Baltimore Area: (410-946-5400) Washington Area: (301-970-5400)

Other Areas: (1-800-492-7122)

TTY: (410-946-5401) (301-970-5401)

TTY users may also call the
Maryland Relay Service to contact the General Assembly.

E-Mail: libr@mlis.state.md.us
Home Page: <http://mlis.state.md.us>

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at the telephone numbers shown above.

2012 SENATE JOURNAL INDEX OF DAYS

| <u>Legislative Day</u> | <u>Page</u> | <u>Legislative Day</u> | <u>Page</u> |
|------------------------|-------------|------------------------|-------------|
| January 11 | 1 | March 1 | 1222 |
| January 12 | 76 | March 2 | 1242 |
| January 13 | 78 | March 5 | 1281 |
| January 16 | 86 | March 6 | 1305 |
| January 17 | 113 | March 7 | 1332 |
| January 18 | 119 | March 8 | 1371 |
| January 19 | 156 | March 9 | 1417 |
| January 20 | 167 | March 12 | 1459 |
| January 24 | 224 | March 13 | 1549 |
| January 25 | 227 | March 14 | 1684 |
| January 26 | 247 | March 15 | 1882 |
| January 27 | 267 | March 16 | 1885 |
| January 30 | 299 | March 17 | 2047 |
| January 31 | 329 | March 18 | 2172 |
| February 1 | 347 | March 19 | 2242 |
| February 2 | 394 | March 20 | 2383 |
| February 3 | 460 | March 21 | 2585 |
| February 7 | 751 | March 22 | 2665 |
| February 8 | 757 | March 23 | 2934 |
| February 9 | 771 | March 24 | 2982 |
| February 10 | 792 | March 25 | 3010 |
| February 13 | 821 | March 26 | 3069 |
| February 14 | 843 | March 27 | 3110 |
| February 15 | 858 | March 28 | 3196 |
| February 16 | 888 | March 29 | 3224 |
| February 17 | 921 | March 30 | 3345 |
| February 20 | 964 | March 31 | 3467 |
| February 21 | 1001 | April 1 | 3597 |
| February 22 | 1017 | April 2 | 3783 |
| February 23 | 1085 | April 3 | 3839 |
| February 24 | 1097 | April 4 | 3882 |
| February 27 | 1147 | April 5 | 3920 |
| February 28 | 1185 | April 6 | 3945 |
| February 29 | 1198 | | |

Annapolis, Maryland
Legislative Day: April 1, 2012
Calendar Day: Saturday, April 7, 2012
10:00 A.M. Session

The Senate met at 10:13 A.M.

Prayer by Senator McFadden.

The Journal of March 31, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Conway and Rosapepe be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 1150)

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

BILL NO.: HB 365 SPONSOR: Delegate Mitchell

**SUBJECT: Baltimore City – Nuisance Abatement and Local
Code Enforcement – Community Associations**

THIRD READING CALENDAR HOUSE NO. 13 SENATE NO. 2

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the Judicial Proceedings Committee Amendments (HB0365/628271/1) be rejected.

Senate Members:

House Members:

Chair, **Lisa A. Gladden**

Chair, **Cheryl D. Glenn**

James Brochin

Anne Healey

Brian E. Frosh

Patrick N. Hogan

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE CONFERENCE COMMITTEE REPORT.

Senator Gladden moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

House Bill 159 – Delegates Afzali, Barkley, Clagett, Elliott, Feldman, Gaines, Glass, Hershey, Hogan, Ivey, Jacobs, A. Kelly, Krebs, Luedtke, McComas, McDermott, McHale, A. Miller, Myers, Niemann, Otto, Parrott, Ready, Ross, Schulz, Sophocleus, Walker, and Wilson

AN ACT concerning

Agriculture – Maryland Standard of Identity for Honey

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Brinkley moved, duly seconded, to make the Bill and Report a Special Order for April 9, 2012.

The motion was adopted.

House Bill 84 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees – Exemptions

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1151)

The Bill was then sent to the House of Delegates.

House Bill 670 – Delegates Hough, Waldstreicher, Bates, and B. Robinson

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

FLOOR AMENDMENT

HB0670/443729/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 670

(Third Reading File Bill)

On page 3, in line 10, after “**VIOLENCE**” insert “**OR ANY OTHER FELONY**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 12 Negative – 34 (See Roll Call No. 1152)

FLOOR AMENDMENT

HB0670/923123/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 670

(Third Reading File Bill)

On page 3, in line 16, after the first “**OF**” insert “**§ 2-503.**”.

The preceding amendment was read only.

Senator Simonaire moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

House Bill 402 – Delegate Beitzel

AN ACT concerning

Environment – Dormant Mineral Interests – Termination by Court Order Requirements

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

FLOOR AMENDMENT

HB0402/183828/1

BY: Senator Edwards

AMENDMENTS TO HOUSE BILL 402

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Environment” and substitute “Land Records”; in the same line, after “Interests” insert “and Natural Gas and Oil Leases”; in the same line, strike “Termination by”; in the same line, after “Order” insert “and Recordation”; in line 6, after “records,” insert “prohibiting a clerk of court from recording an instrument that effects a certain real property lease dealing in natural gas and oil unless the instrument is accompanied by a complete intake sheet.”; strike line 7 in its entirety and substitute “land records.”; and after line 17, insert:

“BY adding to

Article – Real Property

Section 3–104(g)(9)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3–104(g)(9)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 3, after line 27, insert:

“Article – Real Property

3–104.

(g) **(9)** **A CLERK MAY NOT RECORD AN INSTRUMENT THAT EFFECTS A REAL PROPERTY LEASE DEALING IN NATURAL GAS AND OIL UNLESS THE INSTRUMENT IS ACCOMPANIED BY A COMPLETE INTAKE SHEET.**

[(9)] **(10)** (i) An intake sheet shall be recorded immediately after the instrument it accompanies.

(ii) The intake sheet is not part of the instrument and does not constitute constructive notice as to the contents of the instrument.

(iii) The lack of an intake sheet does not affect the validity of any conveyance, lien, or lien priority based on recordation of an instrument.”.

The preceding 2 amendments were read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1153)

The Bill was then sent to the House of Delegates.

House Bill 190 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Noise Control

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

**House Bill 801 – Delegates Griffith, Bohanan, Clagett, Haynes, Proctor,
B. Robinson, Sophocleus, and Zucker**

AN ACT concerning

**State Retirement and Pension System – Transfer of Members Between
Systems**

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1154)

The Bill was then sent to the House of Delegates.

**House Bill 1122 – Delegates Valderrama, Anderson, Lee, F. Turner, and
Valentino-Smith**

AN ACT concerning

Juveniles – Confinement in Juvenile Facilities – Report

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 350** SPONSOR: **Delegate Clippinger**

SUBJECT: **Criminal Law – Possession of Marijuana – De
Minimus Quantity**

THIRD READING CALENDAR HOUSE NO. **46** SENATE NO. **6**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendment (HB0350/638671/1) be rejected.

(2) That the Amendment by Senator Gladden (HB0350/423829/1) be rejected.

(3) That the attached Conference Committee Amendments (HB0350/923723/1) be adopted.

HB0350/923723/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 350

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Minimus” and substitute “Minimis”; and in line 7, after “a” insert “certain”.

AMENDMENT NO. 2

On page 2, in lines 28 and 32, in each instance, strike “7” and substitute “10”.

On page 3, strike beginning with “AND” in line 4 down through “BOND” in line 6 and substitute “, THE COURT SHALL STAY ANY SENTENCE IMPOSED THAT INCLUDES AN UNSERVED, NONSUSPENDED PERIOD OF IMPRISONMENT WITHOUT REQUIRING AN APPEAL BOND:

A. UNTIL THE TIME FOR FILING AN APPEAL HAS EXPIRED; AND

B. IF AN APPEAL IS FILED, DURING THE PENDENCY OF THE APPEAL”.

Senate Members:

House Members:

Chair, **Jamie Raskin**

Chair, **Kathleen M. Dumais**

Lisa A. Gladden

Geraldine Valentino-Smith

Jennie M. Forehand**John W. E. Cluster, Jr.**

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 40 Negative – 5 (See Roll Call No. 1155)

The Bill was then sent to the House of Delegates.**CONCURRENCE CALENDAR #23****AMENDED IN THE HOUSE****Senate Bill 273 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0273/204461/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 273

(Third Reading File Bill)

On page 2, in line 17, strike “**ITEM**” and substitute “**SUBSUBSUBPARAGRAPH**”; and in line 24, strike “**(1)**” and substitute “**1**”.The preceding amendment was read and concurred in.The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1156)

AMENDED IN THE HOUSE

Senate Bill 333 – Senator Edwards

AN ACT concerning

Garrett County – Hotel Rental Tax ~~Rate~~

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0333/175161/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 333

(Third Reading File Bill)

On page 2, in line 12, strike “October” and substitute “July”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1157)

AMENDED IN THE HOUSE

Senate Bill 431 – Senators Young ~~and Brinkley~~, Brinkley, Glassman, Kelley, Klausmeier, and Middleton

AN ACT concerning

Workers’ Compensation – Emergency Responders – Revisions

Senator Middleton moved that the Senate concur in the House amendments.

SB0431/883894/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 431
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “considered” insert “paid covered”; and in the same line, strike “for a certain purpose”.

AMENDMENT NO. 2

On page 6, in line 21, strike “NOT”; in line 22, strike “OTHERWISE”; in the same line, after “A” insert “PAID”; and in line 23, after “EMPLOYEE” insert “OF THE VOLUNTEER COMPANY”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1158)

AMENDED IN THE HOUSE

Senate Bill 652 – Senators Middleton, Young, Garagiola, Manno, Mathias, and Rosapepe

AN ACT concerning

**Renewable Energy Portfolio Standard – Renewable Energy
Credits – Geothermal Heating and Cooling**

Senator Middleton moved that the Senate concur in the House amendments.

SB0652/563320/1

BY: Delegate Jameson

AMENDMENTS TO SENATE BILL 652
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “standards;” insert “providing that energy generated from a geothermal Tier 1 renewable source is eligible for inclusion in meeting a certain standard only if the source is connected with the distribution grid serving Maryland;”.

On page 2, in line 3, after “7-701 (l)” insert “and 7-704(a)(2)(i)1.”.

AMENDMENT NO. 2

On page 3, after line 26, insert:

“(a) (2) (i) 1. Except as provided in subsubparagraph 2 of this subparagraph, energy from a Tier 1 renewable source under § 7-701(l)(1), (5), (9), (10), or (11) of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard only if the source is connected with the electric distribution grid serving Maryland.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1159)

CONCURRENCE CALENDAR #24

AMENDED IN THE HOUSE

Senate Bill 14 – Senator Conway

AN ACT concerning

**State Board of Morticians and Funeral Directors – Examinations of
Applicants and Licensees**

Senator Conway moved that the Senate concur in the House amendments.

SB0014/416483/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 14

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “requiring” and substitute “authorizing”; strike beginning with “providing” in line 6 down through “circumstances;” in line 8; strike

beginning with “providing” in line 10 down through “finding;” in line 13; strike beginning with “under” in line 15 down through “licensees” in line 16; and in line 21, after “7–208” insert “and 7–319(h)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 20, inclusive, and substitute:

“(A) THE BOARD MAY REQUIRE AN APPLICANT OR LICENSEE TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION BY A HEALTH CARE PRACTITIONER DESIGNATED BY THE BOARD, IF:

(1) WHEN INVESTIGATING AN ALLEGATION BROUGHT AGAINST AN APPLICANT OR LICENSEE UNDER THIS TITLE, THE BOARD FINDS REASONABLE EVIDENCE INDICATING THAT THE APPLICANT OR LICENSEE CANNOT PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION COMPETENTLY;

(2) THE BOARD:

(I) MAKES A WRITTEN REQUEST FOR THE APPLICANT OR LICENSEE TO SUBMIT TO THE EXAMINATION;

(II) PROVIDES THE APPLICANT OR LICENSEE WITH A LIST OF THREE HEALTH CARE PRACTITIONERS FROM WHICH THE APPLICANT MAY CHOOSE A HEALTH CARE PRACTITIONER TO CONDUCT THE EXAMINATION; AND

(III) PAYS THE COST OF THE EXAMINATION IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; AND

(3) THE APPLICANT OR LICENSEE:

(I) CONSENTS TO SUBMIT TO THE EXAMINATION; AND

(II) WAIVES ANY CLAIM OR PRIVILEGE AS TO THE EXAMINATION REPORT.”;

in lines 21 and 31, strike “(C)” and “(E)”, respectively, and substitute “(B)” and “(C)”, respectively; in line 21, strike “EXAMINATION” and substitute “EVALUATION”; strike in their entirety lines 25 through 30, inclusive; in line 31, after “(1)” insert “(I)”; and in the same line, strike “PARAGRAPH (2) OF THIS SUBSECTION” and substitute “SUBPARAGRAPH (II) OF THIS PARAGRAPH”.

AMENDMENT NO. 3

On page 3, in line 1, strike “(2)” and substitute “(II)”; in line 5, strike “(F)” and substitute “(2)”; in lines 3 and 4, in each instance, strike “EXAMINATION” and substitute “EVALUATION”; in line 3, strike “REPORT”; and after line 6, insert:

“7-319.

(H) IF THE BOARD ORDERS THE SUSPENSION OF A LICENSE IN ACCORDANCE WITH § 10-226(C)(2) OF THE STATE GOVERNMENT ARTICLE, THE BOARD SHALL NOTIFY THE LICENSEE OF THE SUSPENSION WITHIN 48 HOURS AFTER THE BOARD MAKES THE DETERMINATION TO ORDER THE SUSPENSION.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1160)

AMENDED IN THE HOUSE

Senate Bill 104 – Senator Colburn

AN ACT concerning

Dorchester County – Sailwinds Park, Inc. – Service of Alcohol – Wristbands

Senator Conway moved that the Senate concur in the House amendments.

SB0104/803295/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 104

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, and 4, in each instance, strike “Park” and substitute “of Cambridge”; in line 3, after “of” insert “altering certain provisions of law to authorize Sailwinds of Cambridge, Inc., instead of Sailwinds Park, Inc., to obtain and renew a certain alcoholic beverages license in Dorchester County;”; in line 3, strike “requiring” and substitute “authorizing”; in line 5, strike “do not wear” and substitute “are not wearing”; in the same line, after “events” insert “under certain circumstances”; and strike beginning with “prohibiting” in line 6 down through “wristbands” in line 7 and substitute “limitations on serving alcoholic beverages at events at Sailwinds of Cambridge, Inc.”.

AMENDMENT NO. 2

On page 2, in line 13, strike “Park” and substitute “OF CAMBRIDGE”; in lines 16 and 17, strike “the Park” and substitute “SAILWINDS OF CAMBRIDGE, INC”; and in line 19, strike “**PARK**” and substitute “OF CAMBRIDGE”.

AMENDMENT NO. 3

On page 2, in line 20, strike “**SHALL**” and substitute “MAY”; in line 22, strike “**MAY**” and substitute “IF WRISTBANDS ARE DISTRIBUTED AT THE EVENT, MAY”; and in line 23, strike “**DOES NOT WEAR THE WRISTBAND AT THE EVENT**” and substitute “IS NOT WEARING A WRISTBAND”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1161)

AMENDED IN THE HOUSE

Senate Bill 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

Senator Conway moved that the Senate concur in the House amendments.

SB0236/840412/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 236
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “authorizing” in line 29 down through “circumstances;” in line 33.

On page 3, in line 2, after “Commission;” insert “requiring the Department of the Environment to propose certain regulations by a certain date; requiring the Department of the Environment to consult with certain counties and stakeholders in drafting certain proposed regulations; requiring the Department of the Environment to brief certain committees of the General Assembly on certain proposed regulations; requiring the Department of Planning, in consultation with the Department of the Environment, to submit a certain report to the General Assembly by a certain date;”.

AMENDMENT NO. 2

On page 12, in line 26, after “A” insert “RESIDENTIAL”; and in the same line, strike “RESIDENTIAL”.

On page 13, in line 1, after “A” insert “RESIDENTIAL”; in the same line, strike “RESIDENTIAL”; in line 7, after “SECTION” insert “AND SUBJECT TO SUBSECTION (I) OF THIS SECTION”; and in line 25, strike “1.05” and substitute “1.06”.

On page 17, in line 3, after “A” insert “RESIDENTIAL”; and in the same line, strike “RESIDENTIAL”.

AMENDMENT NO. 3

On page 14, in line 27, after “DEPARTMENT” insert “AND THE DEPARTMENT MAY APPROVE”; and in line 28, strike “DETERMINED” and substitute “RECOMMENDED”.

AMENDMENT NO. 4

On page 18, strike beginning with “AND” in line 24 down through “SECTION” in line 25.

On pages 18 and 19, strike in their entirety the lines beginning with line 30 on page 18 through line 15 on page 19, inclusive.

On page 19, in line 16, strike “**(N)** **(1)**” and substitute “**(2)**”; in lines 17 and 18, strike “**AS PROVIDED IN THIS SECTION,**”; in lines 21, 24, and 28, strike “**(2)**”, “**(3)**”, and “**(4)**”, respectively, and substitute “**(3)**”, “**(4)**”, and “**(5)**”, respectively.

On page 27, in line 22, strike the comma.

AMENDMENT NO. 5

On page 28, in line 30, strike “**PROVIDE DOCUMENTATION TO THE DEPARTMENT OF PLANNING OF**” and substitute “**DOCUMENT**”.

On page 45, in lines 24 and 25, strike “**PROVIDE DOCUMENTATION TO THE DEPARTMENT OF PLANNING OF**” and substitute “**DOCUMENT**”.

AMENDMENT NO. 6

On page 32, strike in their entirety lines 14 and 15; in line 16, strike “**(6)**” and substitute “**(5)**”; and after line 20, insert:

“**(6)** **“SHARED FACILITY” HAS THE MEANING STATED IN § 9-206 OF THE ENVIRONMENT ARTICLE.**”.

On page 49, strike in their entirety lines 12 and 13; in line 14, strike “**(6)**” and substitute “**(5)**”; and after line 18, insert:

“**(6)** **“SHARED FACILITY” HAS THE MEANING STATED IN § 9-206 OF THE ENVIRONMENT ARTICLE.**”.

AMENDMENT NO. 7

On page 36, in line 22, strike “**(G)**” and substitute “**(g)**”; in the same line, strike “**(H)(2)**” and substitute “**(f)(2)**”; in line 23, strike beginning with “, the” through “approve” and substitute “**and subject to subsection (i) of this section, a local jurisdiction may authorize**”; in line 24, strike “**ONLY**” and substitute “**only**”; strike beginning with the comma in line 27 down through “subdivision” in line 28; and in line 29, strike “1.05” and substitute “**1.06**”.

On pages 36 and 37, strike beginning with the semicolon in line 30 on page 36 down through “ARTICLE” in line 3 on page 37.

On page 37, strike lines 13 through 20, inclusive.

AMENDMENT NO. 8

On page 48, in line 26, strike “DEVELOPMENT REGULATIONS ELEMENT OF THE”; in the same line, after “PLAN” insert “OR AN ELEMENT OF THE PLAN”; in lines 31 and 32, strike “DEVELOPMENT REGULATIONS ELEMENT OF THE”; and in line 32, after “PLAN” insert “OR AN ELEMENT OF THE PLAN”.

AMENDMENT NO. 9

On page 52, after line 2, insert:

“SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) on or before December 31, 2012, the Department of the Environment shall propose regulations that establish nutrient offset requirements for new residential major subdivisions within Tier III areas that are to be served by on-site sewage disposal systems or shared systems;

(b) the Department shall consult with the counties and other stakeholder groups during the drafting of the proposed regulations required under subsection (a) of this section;

(c) the Department shall brief the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee before the submission of the proposed regulations required under subsection (a) of this section to the Joint Committee on Administrative, Executive, and Legislative Review; and

(d) this section does not apply to, or limit the ability of the Department to develop nutrient trading and offset programs related to Maryland’s Chesapeake Bay TMDL Watershed Implementation Plan.

SECTION 9. AND BE IT FURTHER ENACTED, That, on or before February 1, 2013, the Department of Planning, in consultation with the Department of the Environment, shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(a) the adoption of the tiers, as provided in Article 66B, § 1.05 of the Code and Title 1, Subtitle 5 of the Land Use Article, as enacted by this Act, by each local jurisdiction, including mapped areas of the tiers;

(b) each jurisdiction that has adopted or altered a local ordinance or regulation in implementing the provisions of this Act, including a description of the adopted or altered local ordinance or regulation; and

(c) each jurisdiction for which the Department of Planning has provided comments on any of the tiers or an area within one of the tiers under Article 66B, § 1.05 of the Code and § 1–505 of the Land Use Article, as enacted by this Act.”;

in line 3, strike “8.” and substitute “10.”; in line 7, strike “9.” and substitute “11.”; and in line 8, strike “8” and substitute “10”.

The preceding 9 amendments were read and concurred in.

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

AMENDED IN THE HOUSE

Senate Bill 344 – ~~Senator Middleton~~ Senators Middleton and Simonaire

AN ACT concerning

Health Occupations – Dental Hygienists – Local Anesthesia

Senator Conway moved that the Senate concur in the House amendment.

SB0344/706280/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 344

(Third Reading File Bill)

On page 1, in line 10, after “regulations;” insert “requiring the Board to report to certain committees of the General Assembly on or before a certain date;”.

On page 5, after line 8, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2015, the State Board of Dental Examiners shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on the implementation of this Act and how the Act has impacted the dental profession.”;

and in line 9, strike “2.” and substitute “3.”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1162)

AMENDED IN THE HOUSE

Senate Bill 579 – Senators Glassman, Brinkley, Colburn, Jacobs, Kelley, Middleton, Montgomery, Robey, ~~and Rosapepe~~ Rosapepe, Dyson, Jennings, Pinsky, and Young

AN ACT concerning

Alcoholic Beverages – Farm Brewery Manufacturer’s License

Senator Conway moved that the Senate concur in the House amendment.

SB0579/923095/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 579

(Third Reading File Bill)

On page 4, in line 26, after “**SUNDAYS**” insert “**DURING THE HOURS ALLOWED UNDER § 11-512(C)(3) OF THIS ARTICLE**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1163)

AMENDED IN THE HOUSE

Senate Bill 607 – Senator Benson

AN ACT concerning

**Business Occupations – Plumbers and Gas Fitters – Apprentice License
Renewal**

Senator Conway moved that the Senate concur in the House amendment.

SB0607/103197/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 607

(Third Reading File Bill)

On page 1, in line 6, after “circumstances,” insert “establishing a certain exception:”.

On page 3, in line 11, strike “MAY” and substitute “SHALL”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1164)

AMENDED IN THE HOUSE

**Senate Bill 843 – Senators Pinsky, Ferguson, Madaleno, ~~and Montgomery~~
Montgomery, and Rosapepe**

AN ACT concerning

**Institutions of Postsecondary Education – Fully Online Distance Education
Programs – Registration**

Senator Conway moved that the Senate concur in the House amendments.

SB0843/384269/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 843

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “providing” in line 15 down through “circumstances” in line 17 and substitute “providing that an institution shall be subject to a certain fine if it fails to register with the Commission under certain circumstances”.

AMENDMENT NO. 2

On page 7, in lines 22 and 25, in each instance, after “**COURSE**” insert “**, TERM, OR PROGRAM WITHIN THE APPLICABLE BILLING PERIOD**”.

On page 8, in line 24, after “guarantee” insert “**FOR EITHER THE CERTIFICATE OF APPROVAL OR THE REGISTRATION**”.

AMENDMENT NO. 3

On page 13, strike beginning with the first “**THE**” in line 12 down through “**BOTH**” in line 15 and substitute “**THE INSTITUTION SHALL BE SUBJECT TO A FINE NOT EXCEEDING \$20,000**”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1165)

AMENDED IN THE HOUSE

Senate Bill 1044 – Senators Colburn and Mathias

AN ACT concerning

**Wicomico County – Alcoholic Beverages – Class D Licenses – Follow-Up
Records Checks**

Senator Conway moved that the Senate concur in the House amendments.

SB1044/563890/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1044
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “– Follow-Up Records Checks”; and strike beginning with “requiring” in line 15 down through “term;” in line 21.

On page 2, in line 7, strike “and 10–103(b)(13)(vii)”.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 22 on page 4 through line 19 on page 5, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1166)

CONCURRENCE CALENDAR #22

AMENDED IN THE HOUSE

Senate Bill 20 – Senator Astle

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates

Senator Frosh moved that the Senate not concur in the House amendments.

SB0020/810011/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 20

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 11 down through “agriculture” in line 12 and substitute “repealing the authority of the Motor Vehicle Administration to issue certain commemorative registration plates and making certain conforming changes; requiring rather than authorizing the Administration to issue a special Chesapeake Bay Commemorative Registration Plate; requiring the Administration to disburse certain fees to the Chesapeake Bay Trust; requiring the Administration to consult with the Chesapeake Bay Trust on certain matters; repealing the termination provision for the Chesapeake Bay Commemorative Plate Program; repealing the termination provision for the special registration plate honoring State agriculture; making certain stylistic and technical changes”; after line 14, insert:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–618

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)”;

and in line 22, strike “13–618 and”.

On page 2, in line 8, strike “and reenacting, with amendments,”.

AMENDMENT NO. 2

On pages 5 through 8, strike in their entirety the lines beginning with line 13 on page 5 through line 3 on page 8, inclusive, and substitute:

“(a) The Administration [may] SHALL issue A special [commemorative original or substitute registration plates for any geographical, historical, natural resource, or environmental commemoration of statewide significance] CHESAPEAKE BAY COMMEMORATIVE REGISTRATION PLATE.

(b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle considered eligible by the Administration may apply to the Administration for the assignment of a commemorative registration plate under this section if the vehicle is included in one of the following classes:

- (1) A Class A (passenger) vehicle;
- (2) A Class E (truck) vehicle with a manufacturer's rated capacity of one ton or less;
- (3) A Class G (trailer) vehicle; or
- (4) A Class M (multipurpose) vehicle.

(c) [(1) An original or substitute commemorative plate may only be issued under this section for a fixed period of 2 consecutive years after its initial issuance.

(2) The Administration may only issue one commemorative plate under this section at any one time.

(d) (1) In addition to the annual registration fee otherwise required under this title, an owner of a vehicle assigned a commemorative registration plate under this section shall pay:

(i) An additional initial registration fee set by the Administration when the new registration plates are issued to the vehicle under this section; or

(ii) An additional renewal fee set by the Administration each time the plate is renewed.

(2) (i) The Administration shall set the additional initial registration fee at a level that will enable the Administration to recover its costs under this section.

(ii) The Administration may set the additional initial registration fee at a level that is sufficient to result in a surplus after costs are subtracted.

(iii) The Administration shall retain a portion of the additional initial registration fee that is sufficient to allow the Administration to recover any costs of issuing and distributing commemorative plates under this section.

(iv) Any surplus moneys remaining after the Administration has recovered the costs of issuing a commemorative plate under this section and moneys collected for additional renewal fees may not be retained by or transferred to any agency of the State for any purpose.

(v) Notwithstanding subparagraph (iv) of this paragraph, the surplus moneys and moneys collected for additional renewal fees [may be retained for the purpose described in paragraph (3) of this subsection] **SHALL BE DISBURSED BY THE ADMINISTRATION TO THE CHESAPEAKE BAY TRUST.**

(3) [The surplus moneys and moneys collected for additional renewal fees shall be disbursed by the Administration to a nonprofit organization that is:

(i) Closely related to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(ii) Designated by the Administration under subsection (e) of this section.

(4)] No portion of the additional initial registration or renewal fees may be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8-403 or § 8-404 of this article.

[(e)] (D) (1) The Administration shall adopt regulations not inconsistent with the Maryland Vehicle Law to govern the issuance of special registration plates under this section, **INCLUDING REGULATIONS DETAILING THE PLAN OF DISTRIBUTION OF THE FUNDS.**

(2) [Before designating any nonprofit organization to receive any surplus moneys or moneys collected for additional renewal fees and before distributing the moneys to any nonprofit organization, the Administration shall adopt regulations specific to each new commemorative plate detailing:

(i) The name and nature of the nonprofit organization receiving the money;

(ii) The relationship of the nonprofit organization to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(iii) The plan of distribution of the funds.

(3) The Administration shall consult with the [nonprofit organization designated to receive moneys under this section] **CHESAPEAKE BAY TRUST** to establish a schedule under which the Administration will transfer to the [nonprofit organization] **TRUST** revenue collected on behalf of the [nonprofit organization] **TRUST** under this section.

[(f)](E) The additional fees to the annual registration fee required by this section are not required for special registration of a vehicle that is exempt under § 13–903 of this title[, or a vehicle with a special registration plate recognizing:

(1) The Maryland National Guard; or

(2) A volunteer fire department, volunteer rescue squad, or volunteer ambulance company in this State].

[(g)] (F) (1) A **COMMEMORATIVE REGISTRATION PLATE ISSUED UNDER THIS SECTION SHALL DISPLAY:**

(I) A special registration number [as specified] **ASSIGNED** by the Administration [and assigned under this section] **THAT** may consist of[:

(i) Any] **ANY** combination of:

1. Letters; and

2. Numerals; and

(ii) [Any] A design approved by the Administration that adequately reflects the [geographical, historical, natural resource, or environmental] CHESAPEAKE BAY theme [which] THAT the plate commemorates.

(2) [A special registration number or design assigned under this section shall be displayed on the registration plates for the vehicle.

(3) The Administration shall consult with the [nonprofit organization designated to receive moneys under this section] CHESAPEAKE BAY TRUST with respect to [any] THE design of the Chesapeake Bay Commemorative [License] REGISTRATION Plate.”.

AMENDMENT NO. 3

On page 9, strike beginning with “It” in line 16 down through “effect.” in line 18; and strike in their entirety lines 24 through 27, inclusive.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0020**

SPONSOR: Sen Astle

SUBJECT: Vehicle Laws – Special and Commemorative Registration Plates

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Gladden, Chairman

Senator Forehand

Senator Getty.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 506 – Senators Raskin, Gladden, Ramirez, ~~and Stone~~ Stone, and Brochin

AN ACT concerning

Vehicle Laws – Provisional Driver’s Licenses – Driver Education Requirements

Senator Frosh moved that the Senate not concur in the House amendments.

SB0506/620719/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 506
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “establishing that” and substitute “altering”; strike beginning with “and” in line 7 down through “book” in line 8; and in line 9, strike “do not” and substitute “that”.

AMENDMENT NO. 2

On page 3, in lines 7 and 19, in each instance, strike “AND”; in lines 8 and 20, in each instance, strike “A” and substitute “;”

1. A”;

and in lines 11 and 23, in each instance, after “INSTRUCTION” insert “; **AND**”

2. AT LEAST 19 HOURS, 3 HOURS OF WHICH MUST OCCUR DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SUNSET AND ENDING 30 MINUTES AFTER SUNRISE, OF BEHIND-THE-WHEEL DRIVING PRACTICE SUPERVISED BY AN INDIVIDUAL WHO:

A. HOLDS A VALID DRIVER'S LICENSE;

B. IS AT LEAST 21 YEARS OLD; AND

C. HAS BEEN LICENSED TO DRIVE FOR AT LEAST 3 YEARS; AND

(iii) UNLESS THE INDIVIDUAL SUBMITS, IN ACCORDANCE WITH THE ADMINISTRATION'S REGULATIONS, A COMPLETED SKILLS LOG BOOK SIGNED BY EACH SUPERVISING DRIVER WHO CERTIFIES THAT THE INDIVIDUAL HAS SATISFACTORILY DEMONSTRATED A REQUIRED SKILL AND HAS COMPLETED THE DRIVING PRACTICE REQUIREMENTS UNDER THIS PARAGRAPH".

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0506**

SPONSOR: Sen Raskin, et al

SUBJECT: Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Raskin, Chairman

Senator Brochin

Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 23 – Senator Reilly

AN ACT concerning

Public Safety – Elevator Safety Review Board – Membership

Senator Middleton moved that the Senate not concur in the House amendments.

SB0023/163396/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 23

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “industry” insert “or who is a licensed contractor other than an elevator contractor”.

AMENDMENT NO. 2

On page 2, in line 12, after “SHALL” insert “:

1.”;

in line 13, strike “AND” and substitute “OR

2. BE A CONTRACTOR LICENSED BY THE BOARD, OTHER THAN AN ELEVATOR CONTRACTOR; AND”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0023**

SPONSOR: Sen Reilly

SUBJECT: Public Safety – Elevator Safety Review Board – Membership

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Astle, Chairman
Senator Kelley
Senator Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #67

Senate Bill 63 – Senators Kelley, Astle, Colburn, Conway, DeGrange, Forehand, Klausmeier, Manno, Mathias, McFadden, Middleton, Pinsky, Pugh, Robey, Stone, ~~and Young~~ Young, Brochin, Jacobs, Ramirez, Raskin, Shank, and Jones-Rodwell

AN ACT concerning

~~Child Abuse and Neglect – Failure to Provide Notice or Report – Civil Liability and Criminal Penalty~~ Notice and Reporting Requirements, Disclosure, and Task Force

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 3 (See Roll Call No. 1167)

The Bill was then sent to the House of Delegates.

Senate Bill 414 – Senators Brochin, Klausmeier, Stone, and Zirkin

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1168)

The Bill was then sent to the House of Delegates.

Senate Bill 493 – Senator Gladden

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study – Study Period

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1169)

The Bill was then sent to the House of Delegates.

Senate Bill 788 – Senators Muse, Colburn, and Ramirez

AN ACT concerning

~~**Registration of Property Subject to Foreclosure**~~
Real Property – Foreclosed Property Registry

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1170)

The Bill was then sent to the House of Delegates.

Senate Bill 873 – Senator Pugh

AN ACT concerning

~~**Reduction of Lead Risk in Housing – Creation of Lead Poisoning**~~
~~**Compensation Fund**~~

Workgroup on Lead Liability Protection for Rental Property

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1171)

The Bill was then sent to the House of Delegates.

Senate Bill 925 – Senator Gladden

AN ACT concerning

Criminal Procedure – Right of Appeal from Final Judgments – Conditional Guilty Plea

Read the third time and passed by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 1172)

The Bill was then sent to the House of Delegates.

Senate Bill 944 – Senator Jacobs

AN ACT concerning

**Life-Threatening Injury by Motor Vehicle or Vessel While Impaired by a Controlled Dangerous Substance – Penalty
(Ava's Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1173)

The Bill was then sent to the House of Delegates.

Senate Bill 990 – Senator Mathias

AN ACT concerning

Ocean City Convention Center – Financial Obligations and Taxing Authority

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1174)

The Bill was then sent to the House of Delegates.

Senate Bill 1045 – Senator Muse

AN ACT concerning

**Missing Children – Search Efforts and Collaboration
(Phylcia's Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1175)

The Bill was then sent to the House of Delegates.

Senate Bill 1087 – Senators Mathias, Colburn, and DeGrange

AN ACT concerning

**Local Government – Fire, Rescue, and Ambulance Funds – Distribution of
Money to Volunteer Companies**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1176)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #13

CONSENT CALENDAR #10

| BILL NO. | SPONSOR | CONTENT | COMMITTEE |
|---------------------|----------------------|---|-----------|
| HB 480 (AMENDED) | Del. Braveboy | Crim Procedure – Unexecuted Warrant, Summons, or Other Crim Process – Invalidity and Destruction | JPR |
| HB 707 | Del. Valentino-Smith | Wrongful Death and Survival Causes of Actn – Crim Homicide – Time Limits for Bringing Civil Actn | JPR |
| HB 740 (AMENDED) | Del. Braveboy | Residential Condominiums – Governing Documents – Claims Provisions | JPR |
| HB 762 | Del. Dumais | Courts and Judicial | JPR |

(AMENDED)

Proceedings – Maryland
Mediation Confidentiality Act

| | | | |
|--------|--------------------|---|-----|
| HB 772 | Del. Waldstreicher | Estates and Trusts – Md Uniform Principal and Income Act – Certain Payments to and from Trusts | JPR |
| HB 942 | Del. Vallario | Criminal Procedure – Sex Offender Registration Requirements – Kidnapping | JPR |

All of the above listed bills on the Third Reading Consent Calendar No. 10 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1177)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #35

CONSENT CALENDAR #22

| BILL NO. | SPONSOR | CONTENT | COMMITTEE |
|----------|-----------------|---|-----------|
| HB 713 | Del. Feldman | Commercial Law – Uniform Commercial Code – Secured Transactions – Revision | FIN |
| HB 964 | Del. Washington | Labor and Employment – User Name and Password Privacy Protection and Exclusions | FIN |
| HB 1340 | Del. Cullison | Life and Health Insurance Guaranty Corporation Act – Revisions | FIN |

All of the above listed bills on the Third Reading Consent Calendar No. 22 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1178)

The Bills were then sent to the House of Delegates.

House Bill 1407 – ~~Delegate Walker~~ Delegates Walker, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly,

**Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready,
Reznik, and Tarrant**

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters
and Environmental Causes of Cancer**

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

THIRD READING CALENDAR (HOUSE BILLS) #36

House Bill 70 – Delegate Kach

AN ACT concerning

**State Board of Morticians and Funeral Directors – Examinations of
Applicants and Licensees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 3 (See Roll Call No. 1179)

The Bill was then sent to the House of Delegates.

House Bill 172 – Delegate Kipke

AN ACT concerning

Health Occupations – Dental Hygienists – Local Anesthesia

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1180)

The Bill was then sent to the House of Delegates.

**House Bill 269 – Chair, Environmental Matters Committee (By Request –
Departmental – Natural Resources)**

AN ACT concerning

Natural Resources – Boating – Disclosure of Personal Information

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1181)

The Bill was then sent to the House of Delegates.

House Bill 276 – Delegate Hubbard

AN ACT concerning

**Health Occupations – Psychologists – Penalties for Misrepresentation and
Practicing Without a License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1182)

The Bill was then sent to the House of Delegates.

**House Bill 283 – Chair, Health and Government Operations Committee and
Delegate Elliott**

AN ACT concerning

State Board of Pharmacy – Sunset Extension and Revisions

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

**House Bill 395 – Delegate Hammen (Chair, Health and Government
Operations Committee)**

AN ACT concerning

State Board of Nursing – Sunset Extension and Revisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1183)

The Bill was then sent to the House of Delegates.

**House Bill 440 – The Speaker (By Request – Administration) and Delegates
Reznik, Hammen, Jones, Mizeur, ~~and Rosenberg~~ Rosenberg,**

Pendergrass, Bromwell, Cullison, Donoghue, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, Ready, and Tarrant

AN ACT concerning

Procurement – Investment Activities in Iran

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1184)

The Bill was then sent to the House of Delegates.

House Bill 753 – Delegate Kach

AN ACT concerning

Maryland State Board of Morticians and Funeral Directors – Permits and Registration Required to Remove and Transport Human Remains

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1185)

The Bill was then sent to the House of Delegates.

House Bill 824 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – ~~Sunset Extension and Program Evaluation~~ Appointment and Term of Chair

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

House Bill 827 – Delegate Hubbard

AN ACT concerning

Polysomnographic Technologists – Education and Examination Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1186)

The Bill was then sent to the House of Delegates.

House Bill 957 – Delegates Cullison, Bromwell, Frank, Kach, A. Kelly, Krebs, Luedtke, Murphy, Oaks, Reznik, Tarrant, and V. Turner

AN ACT concerning

**Health Occupations – Public Disclosure of Professional Credentials and
Reports on Advertising Regulations and Policies**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1187)

The Bill was then sent to the House of Delegates.

House Bill 991 – Delegates Rosenberg and Carr

AN ACT concerning

**Task Force to Study the Renovation and Repair Needs of Senior
Homeowners**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1188)

The Bill was then sent to the House of Delegates.

House Bill 1141 – Delegates Pendergrass, Hammen, Frank, Hubbard, A. Kelly, and Pena-Melnyk

AN ACT concerning

**Maryland Health Care Commission – Cardiac Surgery and Percutaneous
Coronary Intervention Services**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1189)

The Bill was then sent to the House of Delegates.

**House Bill 1303 – Chair, Environmental Matters Committee (By Request –
Departmental – Agriculture)**

AN ACT concerning

Agriculture – Cost Sharing for Water Pollution Control

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1190)

The Bill was then sent to the House of Delegates.

**House Bill 1304 – Chair, Environmental Matters Committee (By Request –
Departmental – Agriculture)**

AN ACT concerning

Department of Agriculture – Animal Waste Technology Fund

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

**House Bill 1305 – Chair, Environmental Matters Committee (By Request –
Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Authority to Establish Free Fishing
Areas**

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

THIRD READING CALENDAR (HOUSE BILLS) #37

CONSENT CALENDAR #23

| BILL NO. | SPONSOR | CONTENT | COMMITTEE |
|---------------------|--------------|---|-----------|
| HB 362 (AMENDED) | Del. Rudolph | Northeast Maryland Higher Education Advisory Board | EHE |

| | | | |
|-----------------------------|------------------|--|-----|
| HB 515 (AMENDED) | Del. Stein | State Government – Financial Education and Capability Commission | EHE |
| HB 757 | Del. Luedtke | Education – Domicile Requirements for Attendance – Exception | EHE |
| HB 766 | Del. Vallario | State Government – Commemorative Days – Crime Victims and Advocates | EHE |
| HB 865 (AMENDED) | Del. Pena–Melnik | State Procurement – Disclosure – Location of the Performance of Services | EHE |
| HB 875 | Del. Conway | Public Safety – Explosives – Package of Components | EHE |
| HB 1126 | Del. Schulz | Alcoholic Beverages – Farm Brewery Manufacturer’s License | EHE |
| HB 1227 | Del. Busch | Education – Core Content Areas – Accountability Program | EHE |
| HB 1401 (AMENDED) | Del. Oaks | State Department of Education – Oral Health Education – Monitoring | EHE |
| HB 1429 (AMENDED) | Del. Lee | State Government – Statue of Harriet Tubman | EHE |
| HB 1435 (Emergency Bill) | Del. Stukes | Maryland Veterans Commission – Membership – Revision | EHE |

All of the above listed bills on the Third Reading Consent Calendar No. 23 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1191)

The Bills were then sent to the House of Delegates.

House Bill 456 – Delegates Reznik, Mizeur, Kipke, Donoghue, A. Kelly, and Ready

AN ACT concerning

Small Business Reserve Program – Definition of Small Business – Revision

FLOOR AMENDMENT

HB0456/423220/1

BY: Senator Conway

AMENDMENT TO HOUSE BILL 456

(Third Reading File Bill)

On page 1, strike beginning with “requiring” in line 7 down through “date;” in line 9.

On page 4, strike beginning with “That” in line 4 down through “ENACTED,” in line 15.

The preceding amendment was read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1192)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #38

House Bill 7 – Delegate Olszewski

AN ACT concerning

Criminal Law – Betting, Wagering, and Gambling – Fantasy Competition

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1193)

The Bill was then sent to the House of Delegates.

House Bill 119 – Delegates McDermott, Anderson, Clippinger, Conaway, Hough, McComas, Mitchell, Smigiel, ~~and Waldstreicher~~ Waldstreicher, Jameson, Murphy, and Wilson

AN ACT concerning

Criminal Procedure – Misdemeanors and Local Ordinance Violations – Citations and Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 1194)

The Bill was then sent to the House of Delegates.

House Bill 499 – ~~Delegate Niemann~~ Delegates Niemann and Frush

AN ACT concerning

Vehicle Laws – Disposition of Vehicle to Automotive Dismantler and Recycler or Scrap Processor

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1195)

The Bill was then sent to the House of Delegates.

House Bill 545 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate Oaks

AN ACT concerning

Crimes – Theft from a Motor Vehicle – ~~Penalties~~

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1196)

The Bill was then sent to the House of Delegates.

House Bill 573 – Delegates K. Kelly, Cluster, Hough, McDermott, Smigiel, and Valentino-Smith

AN ACT concerning

Criminal Procedure – Bail Bondsman Solicitation – Penalty

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1197)

The Bill was then sent to the House of Delegates.

House Bill 579 – Delegate Elliott

AN ACT concerning

Public Safety – Regulated Firearms – Exemption from Training Course

FLOOR AMENDMENT

HB0579/173427/1

BY: Senator Jennings

AMENDMENTS TO HOUSE BILL 579, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (HB0579/828878/1), in line 2 of Amendment No. 1, after “Training” insert “and Licensing”; and in line 5, after “permit;” insert “repealing a certain requirement that a certain applicant for a handgun have good and substantial reason to wear, carry, or transport a handgun;”.

AMENDMENT NO. 2

On page 3 of the Judicial Proceedings Committee Amendments, in lines 17 and 18 of Amendment No. 3, strike “:

(i)”;

and in line 20, strike “: and”.

On page 4 of the Judicial Proceedings Committee Amendments, strike beginning with “(ii)” in line 1 down through “danger” in line 3.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 20 Negative – 27 (See Roll Call No. 1198)

Senator Reilly moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

House Bill 589 – Delegates A. Miller, McComas, Stein, Beidle, Arora, Hixson, Howard, Ivey, Lee, Luedtke, S. Robinson, Stukes, and Waldstreicher

AN ACT concerning

Criminal Law – Controlled Dangerous Substances – Mephedrone

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1199)

The Bill was then sent to the House of Delegates.

House Bill 644 – Delegates Oaks and Niemann

AN ACT concerning

Environment – Reducing the Incidence of Lead Poisoning

Senator Young moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 666 – Delegates Smigiel, Dwyer, George, McComas, McConkey, McDermott, and Ready

AN ACT concerning

Criminal Procedure – Victims' Rights – Remedy and Priority of Restitution

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1200)

The Bill was then sent to the House of Delegates.

House Bill 884 – Delegates Summers, Bobo, Braveboy, Gaines, Healey, Holmes, Howard, Ivey, Jacobs, Jones, Kaiser, Lafferty, McDonough, Niemann, B. Robinson, Stocksdales, and Zucker

AN ACT concerning

**Electric, Gas, Sewer, and Water Service – Default Notice to Condominium
Unit Owners and Residents**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1201)

The Bill was then sent to the House of Delegates.

House Bill 1031 – Delegates Alston and Vallario

AN ACT concerning

**Criminal Procedure – Right of Appeal from Final Judgments – Conditional
Guilty Plea**

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 16 (See Roll Call No. 1202)

The Bill was then sent to the House of Delegates.

**House Bill 1120 – Delegates Carter, Alston, Anderson, Barnes, Boteler,
Braveboy, Cane, Dumais, Haynes, Holmes, Kach, K. Kelly, Lee, Mitchell,
Nathan–Pulliam, Oaks, Proctor, B. Robinson, Rosenberg, Simmons,
Smigiel, Stukes, Tarrant, F. Turner, Walker, and Washington**

AN ACT concerning

**Missing Children – Search Efforts and Collaboration
(Phylcia’s Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1203)

The Bill was then sent to the House of Delegates.

House Bill 1238 – Delegate Dumais

AN ACT concerning

Maryland Legal Services Corporation Fund – Net Interest Earnings

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1204)

The Bill was then sent to the House of Delegates.

**House Bill 1365 – Chair, Judiciary Committee (By Request – Departmental –
Public Safety and Correctional Services)**

AN ACT concerning

**~~Criminal Procedure~~ Department of Juvenile Services – Restitution and
~~Other Payments~~ – Referral to the Central Collection Unit**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1205)

The Bill was then sent to the House of Delegates.

**House Bill 1418 – Delegates Anderson, Alston, Carter, Simmons,
Valentino-Smith, Vallario, and Waldstreicher**

AN ACT concerning

Criminal Procedure – Coram Nobis – Failure to Seek Appeal

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1206)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #39

House Bill 10 – Delegate Haddaway-Riccio

AN ACT concerning

**Business Occupations – Electrical Inspectors – Master Electrician License
Required**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1207)

The Bill was then sent to the House of Delegates.

House Bill 182 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County Board of Elections – Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1208)

The Bill was then sent to the House of Delegates.

**House Bill 596 – Delegates Kaiser, Barkley, Cullison, Gutierrez, Ivey, A. Kelly,
Luedtke, Reznik, S. Robinson, Stukes, Summers, and Zucker**

AN ACT concerning

**Child with a Disability – Individualized Education Program Meeting –
Document Access**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1209)

The Bill was then sent to the House of Delegates.

**House Bill 658 – Chair, Health and Government Operations Committee (By
Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Public Safety – Emergency Management – Emergency Plans for Human
Service Facilities – Dialysis Centers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1210)

The Bill was then sent to the House of Delegates.

House Bill 725 – Montgomery County Delegation

AN ACT concerning

Montgomery County – County Council Special Elections – Voting by Mail

MC 5-12

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 3 (See Roll Call No. 1211)

The Bill was then sent to the House of Delegates.

House Bill 900 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

**Prince George’s County – Proposed Subdivisions – ~~Escrow Funds~~
Development Impact Fees for Traffic Mitigation
PG/MC 109-12**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1212)

The Bill was then sent to the House of Delegates.

House Bill 1124 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County Metropolitan Commission – Revisions and Corrections

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1213)

The Bill was then sent to the House of Delegates.

House Bill 1130 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Land Use – Cross-References and Corrections

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1214)

The Bill was then sent to the House of Delegates.

**House Bill 1188 – Delegates Ross, Ivey, Summers, Vaughn, ~~and Walker~~
Walker, Cardin, and Frick**

AN ACT concerning

State Department of Education – Lacrosse Opportunities Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1215)

The Bill was then sent to the House of Delegates.

House Bill 1264 – Howard County Delegation (By Request)

AN ACT concerning

**Howard County – Massage Establishment, Pawnbroker or Secondhand
Dealer Establishment, and Taxicab Licenses – Criminal History Records
Checks
Ho. Co. 8–12**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1216)

The Bill was then sent to the House of Delegates.

**House Bill 1369 – Chair, Health and Government Operations Committee (By
Request – Departmental – Minority Affairs, Office of) and Delegates
Pendergrass, Bromwell, Cullison, Donoghue, Hubbard, A. Kelly,
Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Reznik, and
Tarrant**

AN ACT concerning

**Office of Minority Affairs – Duties of Special Secretary – Minority Business
Enterprises**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1217)

The Bill was then sent to the House of Delegates.

House Bill 1370 – Chair, Health and Government Operations Committee (By Request – Departmental – Transportation) (By Request – Departmental – Minority Affairs, Office of) and Delegates Pendergrass, Bromwell, Cullison, Donoghue, Hubbard, A. Kelly, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, and Tarrant

AN ACT concerning

Procurement – Minority Business Participation

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1218)

The Bill was then sent to the House of Delegates.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

| NUMBER | SPONSOR | CONTENT |
|----------------------------|--------------------|--|
| SB 8 | Sen. Astle | Maryland Income Tax Refund – Anne Arundel County – Warrants |
| SB 10 (Emergency Bill) | Sen. Colburn | Slot Machines for Nonprofit Organizations on the Eastern Shore – Uses of Proceeds |
| SB 32 | Sen. Simonaire | Anne Arundel County – Property Tax Payment Deferral – Eligibility |
| SB 49 | Sen. Astle | Horse Racing – Maryland–Bred Race Fund – Administration |
| SB 70 | Sen. Kelley | Family Law – Permanency Planning and Guardianship Review Hearings – Court Procedures |
| SB 105 (Emergency Bill) | Sen. Colburn | Caroline County and Dorchester County – Turkey Hunting on Private Property – Sundays |
| SB 113 | Chair, EHE Com. | Weights and Measures – Registration Fees |
| SB 116 | Ch., Jud. Proceed. | Vehicle Laws – Weight and Load Requirements – Vehicles Carrying Perishable Products |

| | | |
|--------|----------------------|--|
| SB 135 | Sen. Gladden | Ground Leases – Registration – Failure to Register |
| SB 182 | Sen. Ferguson | Tax Sales – Complaint to Foreclose Right of Redemption – Notice |
| SB 243 | Sen. Jones–Rodwell | Baltimore City – Hotel Room Tax – Convention Center Promotion |
| SB 246 | Sen. Conway | Secondhand Precious Metal Object Dealers – Securing and Tagging Items – Requirements |
| SB 265 | Sen. Brinkley | Frederick County – Tax Sales – Auctioneer’s Fees |
| SB 266 | Sen. Brinkley | Frederick County and Washington County – Property Tax Credit – Job Creation by Small Businesses |
| SB 352 | Sen. Forehand | National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements |
| SB 388 | Sen. Kittleman | Howard County – Workers’ Compensation – Students in Unpaid Work–Based Learning Experiences |
| SB 390 | Caroline Co. Senator | Caroline County – Deer Hunting on Private Property – Sundays |
| SB 397 | Sen. Forehand | Estates and Trusts – Allowance for Funeral Expenses |
| SB 425 | Harford Co. Senators | Harford County – Tax Sales – Auctioneer Fees |
| SB 433 | Sen. Young | Labor and Employment – User Name and Password Privacy Protection and Exclusions |
| SB 472 | Sen. Edwards | Environment – Dormant Mineral Interests – Termination by Court Order Requirements |
| SB 489 | Sen. Astle | Bail Bondsmen – Acceptance of Installment Contracts |
| SB 497 | Sen. Jones–Rodwell | Employees’ Ret and Pension Systems – Reemployment of Retirees – Parole and Probation Employees |
| SB 529 | Sen. Robey | Motor Vehicles – Use of Text Messaging Device While |

| | | |
|--------|----------------------|---|
| SB 602 | Sen. Dyson | Driving Public Safety – Building Performance Standards – Automatic Fire Sprinkler Systems |
| SB 604 | Sen. Kelley | Motor Vehicle Ins – Uninsured Motorist Coverage – Effect of Consent to Offer of Settlement |
| SB 609 | Sen. Benson | Task Force on the Establishment of a Statewide Spay/Neuter Fund – Sunset Extension |
| SB 640 | Sen. Ramirez | Public Safety – Possession of Firearms – Crimes Committed in Other States |
| SB 649 | Sen. Ramirez | Environment – Asbestos Worker Protection |
| SB 650 | Sen. Ramirez | Public Safety – Impersonating a Police Officer – WMATA Metro Transit Police |
| SB 662 | Carroll Co. Senators | Carroll County – Archery Hunting – Safety Zone |
| SB 670 | Sen. Shank | Washington County – Tip Jars – Accountability and Oversight |
| SB 672 | Sen. Jones–Rodwell | State Retirement and Pension System – Investment Division – Salary Setting |
| SB 678 | Sen. Forehand | Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court |
| SB 741 | Sen. Forehand | Vehicle Laws – U.S. Foreign Service Members Absent from State – Effective Period of Driver’s License |
| SB 779 | Sen. Pugh | State Retirement and Pension System – Study of Asset Management |
| SB 787 | Sen. Forehand | Estates and Trusts – Md Uniform Principal and Income Act – Certain Payments to and from Trusts |
| SB 812 | Sen. Astle | Ins – Suspected Fraud – Liability for Reporting or for Furnishing or Receiving |

| | | |
|--------|-----------------|---|
| SB 814 | Sen. Astle | Information Public Safety – Elevators – Accessibility Lift Mechanic License |
| SB 852 | Sen. King | Sales and Use Tax – Alcoholic Beverages – Calculation of Tax |
| SB 861 | Sen. Klausmeier | Portable Electronics Insurance |
| SB 889 | Sen. Stone | Criminal Law – Misdemeanor Possession of Child Pornography – Statute of Limitations |
| SB 967 | Sen. Conway | Maryland Higher Education Commission – Student Transfer Advisory Committee |
| SB 998 | Sen. Garagiola | Motor Vehicle Administration – Plug-In Vehicles – Disclosure of Personal Information |
| SJ 2 | Sen. Raskin | Maryland Ratification of the 17th Amendment to the United States Constitution |

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 1306 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – Aquaculture Leasing

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 130 – Delegates Arora, Conaway, McComas, McDermott, McMillan, Mitchell, and Washington

AN ACT concerning

Laser Safety Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator King moved, duly seconded, to make the Bill and Report a Special Order for April 9, 2012.

The motion was adopted.

House Bill 834 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Child Abuse and Neglect – ~~Child Welfare~~ – Alternative Response

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB0834/968971/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 834

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “program;” insert “providing that a certain independent agency may not receive certain funding;”.

AMENDMENT NO. 2

On page 10, in line 20, strike “Services” and substitute “Resources”; in line 25, strike “the” and substitute “;”

(a) The”;

and after line 27, insert:

“(b) The independent agency may not receive any funding from any State agency other than the compensation received under the contract entered into under subsection (a) of this section.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1290 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Land Use

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #21

AMENDED IN THE HOUSE

Senate Bill 317 – Senators Pugh, ~~Ferguson, Gladden, Jennings, King, Madaleno, Manno, Mathias, Montgomery,~~ Astle, Ferguson, Gladden, Glassman, Jennings, King, Kittleman, Madaleno, Manno, Middleton, Mathias, Montgomery, Muse, Raskin, Rosapepe, Shank, and Stone

AN ACT concerning

Retail Pet Stores – Sales of Dogs – Required Records, Health Disclosures, and Purchaser Remedies

Senator Middleton moved that the Senate concur in the House amendment.

SB0317/273194/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 317

(Third Reading File Bill)

On page 9, in line 25, after “**DIAGNOSIS;**” insert “**OR**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1219)

CONCURRENCE CALENDAR #26

AMENDED IN THE HOUSE

Senate Bill 580 – Senators Peters, Conway, Currie, Ferguson, Garagiola, King, Manno, McFadden, Muse, Pugh, Ramirez, Raskin, ~~and Robey~~ Robey, Kasemeyer, Brinkley, Colburn, DeGrange, Edwards, Jones-Rodwell, and Madaleno

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0580/315163/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 580

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “and termination”; and in the same line, after “Act;” insert “providing for the termination of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General.AMENDMENT NO. 3

On page 3, in line 11, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 2 of”; and after line 15, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012, and, except as provided in Section 3 of this Act, shall be applicable to all taxable years beginning after December 31, 2012.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1220)

CONCURRENCE CALENDAR #25**AMENDED IN THE HOUSE****Senate Bill 134 – Senator Conway**

AN ACT concerning

State Real Estate Commission – Sunset Extension and Program Evaluation

Senator Conway moved that the Senate not concur in the House amendments.

SB0134/963190/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 134

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “Fund;” insert “providing that interest on the amount paid by the Guaranty Fund does not begin to accrue until a certain period of time has passed; altering the interest rate charged to a real estate broker, associate real estate broker, or real estate salesperson licensee if the licensee has entered into a certain repayment plan; requiring the State Real Estate Commission to allow a licensee, on request, to enter into a plan to repay the Guaranty Fund within a certain period of

time; authorizing the Commission to reinstate a suspended license if the individual whose license was suspended enters into a certain repayment plan;”; and in line 20, after “17-407(d)(1)(i).” insert “17-411(a), 17-412.”.

AMENDMENT NO. 2

On page 3, after line 9, insert:

“17-411.

(a) (1) After payment of a claim by the Guaranty Fund, a licensee [who] WHOM the Commission finds responsible for the act or omission that gave rise to the claim shall reimburse the Guaranty Fund in full for:

[(1)] (I) the amount paid by the Guaranty Fund; and

[(2)] (II) IF AT LEAST 3 MONTHS HAVE PASSED SINCE THE PAYMENT, interest on the amount paid by the Guaranty Fund at an annual rate of:

1. at least 10%, as set by the Commission; OR

2. IF THE LICENSEE HAS ENTERED INTO A REPAYMENT PLAN UNDER PARAGRAPH (2) OF THIS SUBSECTION, 6%.

(2) ON REQUEST OF A LICENSEE REQUIRED TO REIMBURSE THE GUARANTY FUND UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL ALLOW THE LICENSEE TO ENTER INTO A PLAN TO REPAY THE GUARANTY FUND WITHIN A REASONABLE PERIOD OF TIME, NOT EXCEEDING 4 YEARS.

17-412.

(a) If the Commission orders payment by the Guaranty Fund of a claim based on an act or omission for which a licensee is responsible, the Commission immediately and without further proceedings shall suspend the license of the licensee.

(b) The Commission may not reinstate a license that is suspended under this section until the individual whose license was suspended:

(1) (I) repays in full:

[(i)] 1. the amount paid by the Guaranty Fund; and

[(ii)] 2. the interest due under § [17-411(a)(2)]
17-411(A)(1)(II) of this subtitle; OR

(II) ENTERS INTO A PLAN WITH THE COMMISSION UNDER §
17-411(A)(2) OF THIS SUBTITLE TO REPAY THE AMOUNT PAID BY THE
GUARANTY FUND WITHIN A REASONABLE PERIOD OF TIME, NOT EXCEEDING 4
YEARS; and

(2) applies to the Commission for reinstatement of the license.

(c) Regardless of whether the disciplinary sanction was imposed for the same
act or omission that gave rise to the claim against the Guaranty Fund, the
reimbursement of the Guaranty Fund by a licensee does not affect any sanction
imposed by the Commission against an individual under the disciplinary provisions of
Subtitle 3 of this title.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0134**

SPONSOR: Sen Conway

SUBJECT: State Real Estate Commission – Sunset Extension and Program
Evaluation

The Senate refuses to concur in the House amendments and respectfully requests the
House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 483 – Senators Benson, Miller, Frosh, Montgomery, and Pinsky

AN ACT concerning

**Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and
Scrap Metal Facilities**

Senator Conway moved that the Senate not concur in the House amendments.

SB0483/790112/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 483

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “with” insert “a”; in line 5, strike “exceptions” and substitute “exception”; in the same line, after “yards,” insert “and”; in line 6, strike “, and certain machinery”; strike beginning with “requiring” in line 7 down through “date,” in line 9; in line 10, strike “certain provisions of”; in line 12, after “yards,” insert “and”; and in the same line, strike “, and certain machinery”.

AMENDMENT NO. 2

On page 4, in line 36, after the semicolon, insert “AND”.

On page 5, strike beginning with “OR” in line 2 down through “VESSEL” in line 3; strike beginning with the semicolon in line 5 down through “2013” in line 12; strike beginning with “§ 8–1808(c)(1)16” in line 13 down through the second “of” in line 14; in line 14, strike the second comma; and in line 15, strike the second “to” and substitute “or”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0483

SPONSOR: Sen Benson, et al

SUBJECT: Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition –
Junk and Scrap Metal Facilities

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0379

SPONSOR: Frederick County Delegation

SUBJECT: Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Arora, Chairman
Delegate Mitchell, and
Delegate Hough.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0379

SPONSOR: Frederick County Delegation

SUBJECT: Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

The Senate does not recede in the Senate amendments.

The Senate respectfully requests the House reconsider and concur.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #57**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 509 – Delegates K. Kelly, Beitzel, Clippinger, Cluster, Dumais, Hough, McConkey, Myers, Parrott, Valentino-Smith, and Wilson

AN ACT concerning

Public Health – Inmates – HIV Testing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 641 – Delegates Nathan–Pulliam, Branch, Braveboy, Burns, Costa, Elliott, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Kipke, Krebs, Morhaim, Murphy, Oaks, B. Robinson, Tarrant, ~~and V. Turner~~ V. Turner, Lee, Pena–Melnyk, Kach, Reznik, A. Kelly, and Cullison

AN ACT concerning

Hepatitis B and Hepatitis C Viruses – Public Awareness, Treatment, and Outreach

HB0641/224138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 641
(Third Reading File Bill)

On page 4, in line 15, after “**CONTROL**” insert “**AND PREVENTION**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 679 – Delegates Nathan–Pulliam, Braveboy, Burns, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Morhaim, Murphy, Oaks, B. Robinson, Ross, Tarrant, V. Turner, and Valderrama

AN ACT concerning

Cultural Competency and Health Literacy – Education

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1009 – Delegate Hubbard

AN ACT concerning

**State Board of Professional Counselors and Therapists – Alcohol and Drug
Counselor Trainees – Registry and Code of Ethics Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1296 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Golf Course License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1316 – Delegates Hershey, DeBoy, and Malone

AN ACT concerning

Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

Favorable report adopted.

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1327 – Delegate Lafferty

AN ACT concerning

**Community Legacy Program – Sustainable Community Designation – Time
Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1387 – Delegate Murphy

AN ACT concerning

Charles County – Winery Special Event Permits – Farmers' Markets

Favorable report adopted.

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1432 – Delegate Barkley

AN ACT concerning

**Alcoholic Beverages – Comptroller – Departments of Liquor Control and
Liquor Control Boards**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #58**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 988 – Senator Klausmeier (By Request – Baltimore County
Administration)**

AN ACT concerning

Baltimore County – Cooperative or Joint Administration of Programs**SB0988/244439/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 988

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 7, in each instance, strike “County Council” and substitute “Board of Education”; and in line 5, after “programs” insert “, subject to a certain limitation; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 2, in line 1, after “(II)” insert “1.”; in the same line, strike “THE” and substitute “SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE”; and after line 4, insert:

“2. THE BOARD OF EDUCATION OF BALTIMORE COUNTY MAY ENTER INTO AN AGREEMENT UNDER THIS SUBPARAGRAPH RELATED TO PERSONNEL ONLY FOR PROGRAMS THAT ALSO RELATE TO PROGRAMS UNDER PARAGRAPH (2)(II) THROUGH (VIII) OF THIS SUBSECTION.”

AMENDMENT NO. 3

On page 3, in line 26, after “2012.” insert “It shall remain effective for a period of 2 years and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1281 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Cooperative or Joint Administration of Programs**HB1281/184230/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1281

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “limitation;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 4, in line 2, after “2012.” insert “It shall remain effective for a period of 2 years and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.Favorable report, as amended, adopted.Read the second time and ordered prepared for Third Reading.**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #59**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 245 – Charles County Delegation

AN ACT concerning

Charles County – School Buses – Length of OperationFavorable report adopted.Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 284 – Chair, Ways and Means Committee (By Request –
Departmental – Education)**

AN ACT concerning

**Education – Children in Out-of-County Living Arrangements – Payments for
Children with Disabilities**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 723 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – On-Site Sewage Disposal System and Well Easements
– Rural Zones
MC 7-12**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 724 – Delegates Kaiser, Carr, Frick, Luedtke, B. Robinson,
Stocksdale, Stukes, Summers, Washington, and Zucker**

AN ACT concerning

**State Department of Education – School Guidance Counselors and Pupil
Personnel Workers – Reporting**

Favorable report adopted.

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 929 – Delegates Stein, Frush, and Niemann

AN ACT concerning

Environment – Recycling Rates and Waste Diversion – Statewide Goals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1080 – ~~Delegate Walker~~ Delegates Walker, Cardin, Frick, Hixson, Howard, Ivey, Kaiser, A. Miller, Myers, Rosenberg, Stukes, Summers, and F. Turner

AN ACT concerning

Education – Student Athletes – Heat Acclimatization Guidelines

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1117 – Delegates Hershey and Jameson

AN ACT concerning

Zoning, Construction, and Stormwater – Permits and Variances – Solar Panels

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1214 – Delegates Kaiser, Carr, A. Miller, and Stukes

AN ACT concerning

**Education – Public ~~High~~ Schools – Maximum Student Enrollment Policy –
Study**

HB1214/374839/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1214

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “on” in line 13 down through “Act;” in line 15 and substitute “during the first phase of a certain study of the adequacy of education funding in the State;”; and after line 22, insert:

“BY repealing and reenacting, with amendments,

Chapter 288 of the Acts of the General Assembly of 2002, as amended by
Chapter 397 of the Acts of the General Assembly of 2011
Section 7”.

On page 2, in line 2, after “That” insert “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 30 and 31, inclusive, and substitute:

“Chapter 288 of the Acts of 2002, as amended by Chapter 397 of the Acts of 2011

SECTION 7. AND BE IT FURTHER ENACTED, That[, no]:

(A) NO later than June 30, 2014, the Maryland State Department of Education, in consultation with the Department of Budget and Management and the Department of Legislative Services, shall contract with a public or private entity to conduct a study of the adequacy of education funding in the State.

(B) (1) At a minimum, the adequacy study shall:

[(1)](I) identify a base funding level for students without special needs;

[(2)](II) per pupil weights for students with special needs to be applied to the base funding level; and

[(3)](III) an analysis of the effect of concentrations of poverty on adequacy targets.

(2) DURING THE FIRST PHASE, THE ADEQUACY STUDY SHALL INCLUDE STUDY OF:".

On page 4, strike in their entirety lines 1 through 23, inclusive; and after line 23, insert:

“(I) WHETHER COUNTIES CURRENTLY HAVE POLICIES REGARDING THE SIZE OF SCHOOLS, INCLUDING HIGH SCHOOLS, MIDDLE SCHOOLS, ELEMENTARY SCHOOLS, AND ALTERNATIVE SCHOOLS;

(II) BEST PRACTICES IN OTHER STATES REGARDING SCHOOL SIZE;

(III) THE EDUCATIONAL AND EXTRACURRICULAR IMPACTS OF SCHOOL SIZE;

(IV) WHAT FACTORS CONTRIBUTE TO LARGE SCHOOL SIZES AND HOW MIGHT THE STATE MITIGATE THOSE FACTORS;

(V) WHAT WOULD BE THE IDEAL SIZE FOR HIGH SCHOOLS, MIDDLE SCHOOLS, ELEMENTARY SCHOOLS, AND ALTERNATIVE SCHOOLS;

(VI) WHAT PROCESS MIGHT HELP ENSURE APPROPRIATE PUBLIC INPUT INTO THE ESTABLISHMENT OF ANY SCHOOL SIZE STANDARD OR GUIDELINE;

(VII) WHETHER MODELS EXIST FOR THE CREATION OF SMALLER SCHOOLS, INCLUDING THE SUBDIVISION OF EXISTING SCHOOLS INTO MULTIPLE ADMINISTRATIVE UNITS WITHIN THE SAME CAMPUS, WHICH SHARE COMMON AREAS SUCH AS CAFETERIAS AND SPORTS FIELDS;

(VIII) THE POTENTIAL IMPACTS ON THE SCHOOL CONSTRUCTION PROGRAM OF ESTABLISHING STRICTER POLICIES REGARDING SMALLER SCHOOLS;

(IX) THE COSTS AND IMPACTS ON ZONING OF BUILDING NEW SCHOOLS AND HOW THOSE COSTS CAN BE REDUCED;

(X) SCHOOL BOUNDARIES AND ATTENDANCE AREAS AND HOW THOSE AFFECT SCHOOL SIZE; AND

(XI) WHETHER OPPORTUNITIES ARE AVAILABLE FOR ALTERNATIVE METHODS TO CREATE SPACE FOR SMALLER SCHOOLS, INCLUDING THE PURCHASE AND RENOVATION OF EXISTING BUILDINGS, WHERE AVAILABLE, AND INCLUDING SUBURBAN AND URBAN SCHOOL DESIGN.

(C) (1) The study shall be conducted in phases, with the first phase beginning no later than June 30, 2014, and the final phase being completed by December 1, 2016.

(2) The study shall incorporate standards from the common core curriculum adopted by the State Board of Education and 2 years of results from the new common core assessments, which are scheduled to be implemented beginning in the 2014–2015 school year.

(D) The Governor shall include sufficient funds in the State budget for the appropriate fiscal years for the Maryland State Department of Education to cover the costs of conducting the adequacy study.”;

strike in their entirety lines 24 through 28, inclusive; and strike beginning with “It” in line 30 down through “effect.” in line 32.

The preceding 2 amendments were read and adopted.

Senator Muse moved, duly seconded, to make the Bill and Report a Special Order for April 9, 2012.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1325 – Delegate O'Donnell

AN ACT concerning

Natural Resources – Crabs – Catch Times for Trotline Gear

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1372 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Commercial Fishing Licenses, Authorizations, and Permits

Favorable report adopted.

FLOOR AMENDMENT

HB1372/383728/1

BY: Senator Muse

AMENDMENTS TO HOUSE BILL 1372

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “fisheries;” insert “altering a certain fee for an authorization for a certain resident;”.

AMENDMENT NO. 2

On page 4, in line 21, strike “\$50” and substitute “**\$25**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 17 Negative – 29 (See Roll Call No. 1221)

FLOOR AMENDMENT

HB1372/343827/1

BY: Senator Muse

AMENDMENT TO HOUSE BILL 1372

(Third Reading File Bill)

On page 7, in line 33, strike “\$50” and substitute “\$40”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 28 (See Roll Call No. 1222)

Senator Muse moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1446 – Delegates Otto and McDermott

AN ACT concerning

**Somerset and Worcester Counties – Deer Hunting on Private Property –
Sundays**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #60**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 532 – Senators Middleton, Astle, Brinkley, Colburn, DeGrange,
Dyson, Edwards, Getty, Glassman, Jacobs, Jennings, Kittleman,
Mathias, Peters, Pipkin, Reilly, Robey, Shank, and Simonaire**

AN ACT concerning

**Department of Planning – State Development Plan – Use and Conflicts of
Law**

SB0532/684837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 532

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “requiring the Smart Growth Subcabinet to meet at least biannually with certain individuals to discuss certain local government issues;”; strike beginning with “create” in line 4 down through “regarding,” in line 12 and substitute “deny a State-issued permit or certain State funding; clarifying that the Plan does not supersede any State statute or regulation or any local ordinance or regulation, affect the delegation of planning and zoning powers granted by the State to local jurisdictions under certain provisions of law, or overturn or prevent a decision of a local jurisdiction to fund a project; prohibiting the Plan from requiring a local government to change or alter a local ordinance, regulation, or comprehensive plan; providing for the effective date of certain provisions of this Act; correcting a certain cross-reference; providing for the termination of certain provisions of this Act; and generally relating to restrictions on the use and effect of”; and after line 12, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1406

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“Article – State Government

9–1406.

(a) There is a Smart Growth Subcabinet.

(b) The Subcabinet consists of:

- (1) the Special Secretary;
- (2) the Secretary of Agriculture;
- (3) the Secretary of Budget and Management;
- (4) the Secretary of Business and Economic Development;
- (5) the Secretary of the Environment;
- (6) the Secretary of General Services;
- (7) the Secretary of Higher Education;
- (8) the Secretary of Housing and Community Development;
- (9) the Assistant Secretary of the Office of Neighborhood
Revitalization;
- (10) the Secretary of Natural Resources;
- (11) the Secretary of Planning;
- (12) the Secretary of Transportation;
- (13) a representative of the Governor's office;
- (14) the Secretary of Health and Mental Hygiene;
- (15) the Secretary of Labor, Licensing, and Regulation; and
- (16) the Director of the Maryland Energy Administration.

(c) The Executive Director of the National Center for Smart Growth Education and Research at the University of Maryland, College Park shall serve as an ex officio member of the Subcabinet.

(d) (1) The Special Secretary shall chair the Subcabinet and shall be responsible for the oversight, direction, and accountability of the work of the Subcabinet.

(2) The Secretary of Planning shall be the vice chair of the Subcabinet.

(e) (1) The Office shall provide the primary staff support for the Subcabinet.

(2) The Special Secretary and the Secretary of Planning may call upon any of the Subcabinet members to provide additional staff assistance as needed.

(f) The Special Secretary and the Secretary of Planning may establish subcommittees to carry out the work of the Subcabinet.

(g) The Subcabinet shall meet regularly at such times and places as it determines.

(h) (1) The Subcabinet shall:

(i) provide a forum for discussion of interdepartmental issues relating to activities that affect growth, development, neighborhood conservation, and resource management;

(ii) work together using all available resources to promote the understanding of smart growth;

(iii) work together to create, enhance, support, and revitalize sustainable communities across the State;

(IV) MEET AT LEAST BIANNUALLY WITH COUNTY AND MUNICIPAL ELECTED LEADERS AND PLANNING OFFICIALS TO DISCUSS LOCAL GOVERNMENT ISSUES RELATING TO ACTIVITIES THAT AFFECT SMART GROWTH, DEVELOPMENT, NEIGHBORHOOD CONSERVATION, AND RESOURCE MANAGEMENT;

[(iv)] (V) subject to paragraph (2) of this subsection, make recommendations to:

1. the Department of Business and Economic Development in accordance with § 5–1304 of the Economic Development Article;

2. the Department of Housing and Community Development in accordance with § 6–206 of the Housing and Community Development Article;

3. the Department of Planning in accordance with § 5A–303 of the State Finance and Procurement Article; and

4. the Department of Transportation in accordance with § 7–101 of the Transportation Article;

[(v)] (VI) in coordination with State agencies, evaluate and report annually to the Governor and, in accordance with § 2–1246 of this article, to the General Assembly on the implementation of the State’s smart growth policy; and

[(vi)] (VII) perform other duties assigned by the Governor.

(2) The failure of the Subcabinet to make a recommendation under paragraph [(1)(iv)] (1)(V) of this subsection may not be construed as prohibiting a department to act in accordance with the department’s authority under State law.

(i) The annual report required in subsection [(h)(3)] (H)(1) of this section shall include:

(1) a description of the projects, programs, and costs of activities located in priority funding areas;

(2) a description of projects, programs, and costs of activities funded under the exceptions allowed in § 5–7B–06 of the State Finance and Procurement Article;

(3) projects submitted to the Board of Public Works for funding outside priority funding areas under the extraordinary circumstances exception in accordance with § 5–7B–05 of the State Finance and Procurement Article and the impact of these projects upon the State’s smart growth policy;

(4) a list of programs and policies reviewed and changed to ensure compliance with the State’s smart growth policy; and

(5) a list of projects or programs approved and funded under Chapter 759, § 2 of the Acts of 1997.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

AMENDMENT NO. 3

On page 1, in line 22, after “TO” insert “DENY”.

On page 2, strike in their entirety lines 1 through 13, inclusive, and substitute:

“(1) A STATE–ISSUED PERMIT; OR

(2) STATE FUNDING:

(I) MANDATED BY STATUTE OR REGULATION; OR

(II) PROVIDED FOR IN THE STATE OPERATING BUDGET OR CAPITAL BUDGET.

(B) THE PLAN DOES NOT:

(1) SUPERSEDE ANY STATE STATUTE OR REGULATION;

(2) SUPERSEDE ANY LOCAL ORDINANCE OR REGULATION;

(3) AFFECT THE DELEGATION OF PLANNING AND ZONING POWERS GRANTED BY THE STATE TO LOCAL JURISDICTIONS UNDER ARTICLES 23A, 25A, 25B, AND 66B OF THE CODE; OR

(4) OVERTURN OR PREVENT A DECISION OF A LOCAL JURISDICTION TO FUND A PROJECT.

(C) THE PLAN MAY NOT REQUIRE A LOCAL GOVERNMENT TO CHANGE OR ALTER A LOCAL ORDINANCE, REGULATION, OR COMPREHENSIVE PLAN.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

5-606.

(A) THE PLAN MAY NOT BE USED TO DENY:

(1) A STATE-ISSUED PERMIT; OR

(2) STATE FUNDING:

(I) MANDATED BY STATUTE OR REGULATION; OR

(II) PROVIDED FOR IN THE STATE OPERATING BUDGET OR CAPITAL BUDGET.

(B) THE PLAN DOES NOT:

(1) SUPERSEDE ANY STATE STATUTE OR REGULATION;

(2) SUPERSEDE ANY LOCAL ORDINANCE OR REGULATION;

(3) AFFECT THE DELEGATION OF PLANNING AND ZONING POWERS GRANTED BY THE STATE TO LOCAL JURISDICTIONS UNDER ARTICLES 23A, 25A, AND 25B OF THE CODE AND DIVISION I OF THE LAND USE ARTICLE; OR

(4) OVERTURN OR PREVENT A DECISION OF A LOCAL JURISDICTION TO FUND A PROJECT.

(C) THE PLAN MAY NOT REQUIRE A LOCAL GOVERNMENT TO CHANGE OR ALTER A LOCAL ORDINANCE, REGULATION, OR COMPREHENSIVE PLAN.”;

in line 14, strike “2.” and substitute “4.”; in the same line, after “That” insert “Section 3 of this Act shall take effect on the taking effect of Chapter (H.B. 1290) of the Acts of the General Assembly of 2012. If Section 3 of this Act takes effect, Section 2 of this Act shall be abrogated and of no further force and effect.”

SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 4 of this Act.”;

and in line 15, strike “October” and substitute “June”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 636 – Senator Frosh

AN ACT concerning

Environment – Presumptive Impact Areas – Damage Caused by Gas Wells in Deep Shale Deposits

SB0636/654236/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 636

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Damage” and substitute “Contamination”; strike beginning with “and” in line 8 down through “area” in line 10; strike beginning with “establishing” in line 13 down through “circumstances;” in line 16 and substitute “authorizing the permittee to avoid restoration under certain circumstances;”; in line 17, strike “or repair”; in line 18, strike “for other damage”; in the same line, strike “requiring” and substitute “authorizing”; in line 22, strike “clear and convincing” and substitute “a preponderance of the”; strike beginning with “stating” in line 22, down through “intent;” in line 23 and substitute “defining a certain term;”; in line 24, strike “damage” and substitute “contamination”; and in line 28, strike “and 14–110.2”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 26, inclusive; after line 26, insert:

“(A) IN THIS SECTION, “WATER SUPPLY” MEANS A SOURCE OF WATER USED FOR DRINKING OR OTHER DOMESTIC PURPOSE OR FOR AGRICULTURE, INCLUDING LIVESTOCK.”;

in line 27, strike “(A)” and substitute “(B)”; in line 31, strike beginning with “WELL” through “WERE” and substitute “WAS”.

On page 3, in lines 1, 6, 16, and 24, strike “(B)”, “(C)”, “(D)”, and “(E)”, respectively, and substitute “(C)”, “(D)”, “(E)”, and “(F)”, respectively; in line 2, strike “2,640” and substitute “2,500”; in line 7, strike “(A) AND (B)” and substitute “(B) AND (C)”; strike beginning with the colon in line 7 down through “REPLACE” in line 8, and substitute “REPLACE”; in line 9, strike “DAMAGED” and substitute “CONTAMINATED”; strike beginning with “AND” in line 10 down through “WELL” in line 15; and in line 23, strike “DAMAGE TO” and substitute “CONTAMINATION OF”.

On pages 3 and 4, strike beginning with “(1)” in line 24 on page 3 down through the first “THE” in line 4 on page 4 and substitute “THE”.

On page 4, in lines 6, 15, 17, 24, and 26, strike “(F)”, “(G)”, “(H)”, “(I)”, and “(J)”, respectively, and substitute “(G)”, “(H)”, “(I)”, “(J)”, and “(K)”, respectively; in line 7, strike “OR REPAIR”; in the same line, strike “AN” and substitute “A PROPERTY”; in the same line, strike “FOR OTHER DAMAGE”; in line 9, strike “CLEAR AND CONVINCING” and substitute “A PREPONDERANCE OF THE”; in line 10, strike “PROXIMATE CAUSE OF THE DAMAGE” and substitute “CONTAMINATION”; in line 12, strike “OR DAMAGE”; in line 15, strike “SHALL” and substitute “MAY”; in line 18, strike “WELL”; and in lines 20, 21, and 23, in each instance, strike “LANDOWNER” and substitute “PROPERTY OWNER”.

On page 5, strike beginning with “CLEAR” in line 3 down through “CONVINCING” in line 4 and substitute “A PREPONDERANCE OF THE”; and in line 6, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1123 – Delegate Mizeur

AN ACT concerning

**Environment – Presumptive Impact Areas – ~~Damage~~ Contamination Caused
by Gas Wells in Deep Shale Deposits**

HB1123/474730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1123

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, strike “clear and convincing” and substitute “a preponderance of the”; and in line 24, strike “stating certain legislative findings and intent;”.

AMENDMENT NO. 2

On page 2, in line 5, strike “and 14–110.2”; strike in their entirety lines 12 through 34, inclusive.

On page 3, strike line 1 in its entirety; in line 2, strike “SOURCE”; strike beginning with “WELL” in line 2 down through “LIVESTOCK” in line 4 and substitute “SOURCE OF WATER USED FOR DRINKING OR OTHER DOMESTIC PURPOSE OR FOR AGRICULTURE, INCLUDING LIVESTOCK”; and in line 9, strike “SOURCE”.

On page 4, in line 18, strike “AN” and substitute “A PROPERTY”; in line 20, strike “CLEAR AND CONVINCING” and substitute “A PREPONDERANCE OF THE”; in lines 30 and 32, in each instance, strike “SOURCE”; and in lines 32, 33, and 35, in each instance, strike “LANDOWNER” and substitute “PROPERTY OWNER”.

On page 5, strike beginning with “CLEAR” in line 11 down through “CONVINCING” in line 12 and substitute “A PREPONDERANCE OF THE”; and in line 14, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1201 – Delegates Conway, Beidle, Beitzel, Bohanan, Cane, Clagett, Cluster, DeBoy, Eckardt, Haddaway-Riccio, Hershey, Hogan, Holmes, Jacobs, James, McMillan, Minnick, Norman, O'Donnell, Otto, Rudolph, Vitale, Weir, and Wood

AN ACT concerning

Department of Planning – State Development Plan – Use and Conflicts of Law

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #61**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 446 – The Speaker (By Request – Administration) and Delegates Beidle, Bobo, Clippinger, Feldman, Frush, Gaines, Glenn, Hucker, McIntosh, Mitchell, Niemann, S. Robinson, and Rosenberg

AN ACT concerning

Environment – Bay Restoration Fund – Fees and Uses

HB0446/434234/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 446

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after “years.” insert “altering a certain definition.”.

On page 2, in line 5, after “Section” insert “9–1601(a) and”; and in line 10 after “Section” insert “9–1601(ee) and”.

AMENDMENT NO. 2

On page 2, after line 27, insert:

“9–1601.

(a) Unless the context clearly requires otherwise, in this subtitle the following words have the meanings indicated.

(ee) (1) “Person” means an individual, corporation, partnership, association, the State, any unit of the State, commission, special taxing district, or the federal government.

(2) “Person” does not include a county, municipal corporation, bi-county or multicounty agency under Article 28 or 29 of the Code, housing authority under Division II of the Housing and Community Development Article, school board, community college, or any other unit of a county or municipal corporation, OR A LOCAL FIRE DEPARTMENT, AS DEFINED IN § 9–401 OF THE PUBLIC SAFETY ARTICLE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0446/473621/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 446

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “Administration;” insert “prohibiting the withdrawal or transfer of certain money to the General Fund;”.

On page 2, in line 10, after “(d).” insert “(f).”.

AMENDMENT NO. 2

On page 6, after line 10, insert:

“(f) (1) (i) The Bay Restoration Fund is a special, continuing, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article and shall be available in perpetuity for the purpose of providing financial assistance in accordance with the provisions of this section.

(ii) Money in the Fund may not revert or be transferred to the General Fund or a special fund of the State.

(2) The Bay Restoration Fund shall be available for the purpose of providing financial assistance in accordance with the provisions of this section for:

(i) Eligible costs of projects relating to planning, design, construction, and upgrades of wastewater facilities to achieve enhanced nutrient removal as required by the conditions of a grant agreement and a discharge permit; and

(ii) All projects identified in subsections (h) and (i) of this section.

(3) Subject to the provisions of any applicable bond resolution regarding the holding or application of amounts in the Bay Restoration Fund, the Treasurer shall separately hold, and the Comptroller shall account for, the Bay Restoration Fund.

(4) Subject to the provisions of any applicable bond resolution governing the investment of amounts in the Bay Restoration Fund, the Bay Restoration Fund shall be invested and reinvested in the same manner as other State funds.

(5) Any investment earnings shall be retained to the credit of the Bay Restoration Fund.

(6) The Bay Restoration Fund shall be subject to audit by the Office of Legislative Audits as provided under § 2–1220 of the State Government Article.

(7) The Administration shall operate the Bay Restoration Fund in accordance with §§ 9–1616 through 9–1621 of this subtitle.

(8) **EXCEPT AS PROVIDED IN THIS SECTION, MONEY IN THE BAY RESTORATION FUND MAY NOT BE WITHDRAWN OR TRANSFERRED TO THE GENERAL FUND.**

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 21 Negative – 25 (See Roll Call No. 1223)

FLOOR AMENDMENT

HB0446/463421/1

BY: Senator Brochin

(To be offered in the Education, Health, and Environmental Affairs Committee)

AMENDMENTS TO HOUSE BILL 446

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Fees” insert “, Withdrawals,”; in the same line, strike “Uses” and substitute “Transfers”; in line 3, before “altering” insert “temporarily”; in line 5, after “date;” insert “establishing certain fees to be paid by users of wastewater facilities, onsite sewage disposal systems, and sewage holding tanks effective after a certain date; prohibiting the withdrawal or transfer of certain money unless certain legislation is approved by a certain vote in both houses of the General Assembly.”.

On page 2, in line 2, after “to” insert “the”; in the same line, strike “Fees” and substitute “Fund”; and in line 10, after “(d)” insert “, (f)”.

AMENDMENT NO. 2

On page 4, after line 12, insert:

“(2) BEGINNING JANUARY 1, 2018, THE BAY RESTORATION FEE IS:

(I) FOR EACH RESIDENTIAL DWELLING THAT RECEIVES AN INDIVIDUAL SEWER BILL AND EACH USER OF AN ONSITE SEWAGE DISPOSAL SYSTEM OR A HOLDING TANK THAT RECEIVES A WATER BILL, \$2.50 PER MONTH;

(II) FOR EACH USER OF AN ONSITE SEWAGE DISPOSAL SYSTEM THAT DOES NOT RECEIVE A WATER BILL, \$30 PER YEAR;

(III) FOR EACH USER OF A SEWAGE HOLDING TANK THAT DOES NOT RECEIVE A WATER BILL, \$30 PER YEAR; AND

(IV) FOR A BUILDING OR GROUP OF BUILDINGS UNDER SINGLE OWNERSHIP OR MANAGEMENT THAT RECEIVES A SEWER BILL AND THAT CONTAINS MULTIPLE RESIDENTIAL DWELLINGS THAT DO NOT RECEIVE AN INDIVIDUAL SEWER BILL OR FOR A NONRESIDENTIAL USER:

1. FOR EACH EQUIVALENT DWELLING UNIT NOT EXCEEDING 3,000 EQUIVALENT DWELLING UNITS, \$2.50 PER MONTH;

2. FOR EACH EQUIVALENT DWELLING UNIT EXCEEDING 3,000 EQUIVALENT DWELLING UNITS AND NOT EXCEEDING 5,000 EQUIVALENT DWELLING UNITS, \$1.25 PER MONTH; AND

3. FOR EACH EQUIVALENT DWELLING UNIT EXCEEDING 5,000 EQUIVALENT DWELLING UNITS, ZERO.”;

in line 13, strike “(2)” and substitute “(3)”.

On page 5, in lines 1, 3, and 12, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(4)”, “(5)”, and “(6)”, respectively; in line 1, strike “paragraph” and substitute “PARAGRAPHS”; and in the same line, after “(1)” insert “AND (2)”.

AMENDMENT NO. 3

On page 6, after line 10, insert:

“(f) (1) (i) The Bay Restoration Fund is a special, continuing, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article and shall be available in perpetuity for the purpose of providing financial assistance in accordance with the provisions of this section.

(ii) Money in the Fund may not revert or be transferred to the General Fund or a special fund of the State.

(2) The Bay Restoration Fund shall be available for the purpose of providing financial assistance in accordance with the provisions of this section for:

(i) Eligible costs of projects relating to planning, design, construction, and upgrades of wastewater facilities to achieve enhanced nutrient removal as required by the conditions of a grant agreement and a discharge permit; and

(ii) All projects identified in subsections (h) and (i) of this section.

(3) Subject to the provisions of any applicable bond resolution regarding the holding or application of amounts in the Bay Restoration Fund, the Treasurer shall separately hold, and the Comptroller shall account for, the Bay Restoration Fund.

(4) Subject to the provisions of any applicable bond resolution governing the investment of amounts in the Bay Restoration Fund, the Bay Restoration Fund shall be invested and reinvested in the same manner as other State funds.

(5) Any investment earnings shall be retained to the credit of the Bay Restoration Fund.

(6) The Bay Restoration Fund shall be subject to audit by the Office of Legislative Audits as provided under § 2–1220 of the State Government Article.

(7) The Administration shall operate the Bay Restoration Fund in accordance with §§ 9–1616 through 9–1621 of this subtitle.

(8) EXCEPT AS PROVIDED IN THIS SECTION, MONEY IN THE BAY RESTORATION FUND MAY NOT BE WITHDRAWN OR TRANSFERRED UNLESS LEGISLATION TO WITHDRAW OR TRANSFER THE MONEY HAS BEEN PASSED BY A YEA AND NAY VOTE SUPPORTED BY THREE-FIFTHS OF ALL THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY.”;

in line 12, after “**(B)(1)(I)1**”, insert “**and (2)(I)**”; in line 13, before “**(I)2**” insert “**(1)**”; and in the same line, after “**(I)3**” insert “**and (2)(II) and (III)**”.

The preceding 3 amendments were withdrawn.

FLOOR AMENDMENT

HB0446/243922/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 446

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “date;” insert “eliminating certain Bay Restoration Fees on a certain date;”.

AMENDMENT NO. 2

On pages 12 and 13, strike beginning with the colon in line 23 on page 12 down through “units,” in line 9 on page 13.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 29 (See Roll Call No. 1224)

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 879 – Delegate Morhaim

AN ACT concerning

Environment – Statewide Electronics Recycling Program

Senator DeGrange moved, duly seconded, to make the Bill and Report a Special Order for April 9, 2012.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1052 – Delegates Beitzel and Frush

AN ACT concerning

~~**Natural Resources – Suspension of Hunting Licenses and Privileges**~~
Wildlife Poaching Prevention Act

HB1052/834632/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1052
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 25, after “Resources” insert “or the court”.

AMENDMENT NO. 2

On page 6, in line 21, after “**DEPARTMENT**” insert “**OR THE COURT**”; and in line 29, after “**DEPARTMENT**” insert “**OR THE COURT**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1218 – Delegate Ivey

AN ACT concerning

~~**Public Charter Schools – Chartering Authorities, Application Requirements,**~~
~~**Employees, and Facility Funding**~~
Task Force to Study the Improvement of Maryland Public Charter Schools

HB1218/244837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1218
(Third Reading File Bill)

On page 17, in line 31, after “Director” insert “;”

(5) one representative of the Public School Superintendents’ Association of Maryland, appointed by the Association;

in line 32, strike “(5)” and substitute “(6)”; in the same line, strike “nine” and substitute “10”.

On page 18, in line 6, strike “and”; in line 9, after “administrators” insert “; and”

(vi) one representative of a statewide children’s organization;

strike beginning with “whether” in line 24 down through “funded” in line 26 and substitute “and develop a standardized policy for how county boards lease unused school buildings for use by charter schools and develop a standardized policy and terms and conditions under which an unused school building may be leased to a charter school”; in line 29, strike “and”; after line 29, insert:

“(6) review the performance of charter schools compared to traditional public schools;

(7) identify the primary causes of charter successes and failures in the State;

(8) study ways to integrate best practices between charter schools and noncharter schools operating within a local jurisdiction;

(9) to the extent possible, review how charter schools that receive private funding are utilizing this revenue;

(10) study how charter school facilities are being funded in the State;

(11) review and analyze whether the per pupil funding amount provided at elementary, middle, and high school levels in charter schools in the State, exceeds the per pupil funding amount available to traditional public schools, after considering the administrative overhead costs needed to support all public schools operating under the jurisdiction of a county board of education;

(12) evaluate the success and failure of charter schools in the State in attracting additional funding, increasing parent involvement, and maximizing other external resources;

(13) review the use of contract schools, transformation schools, and other similarly situated schools and compare models of these schools with the Maryland charter school model; and”;

and in line 30, strike “(6)” and substitute “(14)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #62

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 138 – Carroll County Delegation

AN ACT concerning

Carroll County – Polling Places – Electioneering Boundaries

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 175 – ~~Delegates Cluster, Aumann, Boteler, Bromwell, Burns, Cardin, Frank, Impallaria, Kach, Lafferty, McDonough, Minnick, Morhaim, Stein, Szeliga, and Weir~~ Baltimore County Delegation

AN ACT concerning

Baltimore County Revenue Authority – Public Ethics Law

HB0175/644432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 175

(Third Reading File Bill)

On page 1, in line 4, after “each” insert “board”.

On page 2, in line 15, after “**EACH**” insert “**BOARD**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 392 – Delegates Hammen, Clippinger, and McHale

AN ACT concerning

Baltimore City – Alcoholic Beverages Licenses – Memorandum of Understanding

HB0392/844931/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 392

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “requiring” and substitute “authorizing”; in line 6, after the first “the” insert “substantial”; and in line 9, after “protest;” insert “defining a certain term;”.

AMENDMENT NO. 2

On page 2, in line 18, after “(2)” insert “(I) IN THIS PARAGRAPH, “COMMUNITY ASSOCIATION” MEANS:

1. A NONPROFIT ASSOCIATION, CORPORATION, OR OTHER ORGANIZATION THAT IS:

A. COMPOSED OF RESIDENTS OF A COMMUNITY WITHIN WHICH A NUISANCE IS LOCATED;

B. OPERATED EXCLUSIVELY FOR THE PROMOTION OF SOCIAL WELFARE AND GENERAL NEIGHBORHOOD IMPROVEMENT AND ENHANCEMENT; AND

C. EXEMPT FROM TAXATION UNDER § 501(C)(3) OR (4) OF THE INTERNAL REVENUE CODE; OR

2. A NONPROFIT ASSOCIATION, CORPORATION, OR OTHER ORGANIZATION THAT IS:

A. COMPOSED OF RESIDENTS OF A CONTIGUOUS COMMUNITY THAT IS DEFINED BY SPECIFIC GEOGRAPHIC BOUNDARIES, WITHIN WHICH A NUISANCE IS LOCATED;

B. OPERATED FOR THE PROMOTION OF THE WELFARE, IMPROVEMENT, AND ENHANCEMENT OF THAT COMMUNITY; AND

C. IN GOOD STANDING WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.”;

in lines 18 and 26, strike “(I)” and “(II)”, respectively, and substitute “(II)” and “(III)”, respectively; in line 23, strike “SHALL” and substitute “MAY”; and in line 24, after the first “THE” insert “SUBSTANTIAL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1047 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Refillable Beer Containers
Ho. Co. 10–12**

HB1047/284731/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1047
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Class” in line 5 down through “wine” in line 6 and substitute “certain alcoholic beverages”; strike beginning with “only” in line 8 down through “premises” in line 10; and in line 10, after the first semicolon, insert “requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements”.

AMENDMENT NO. 2

On page 2, in line 20, strike “**A B–SBW LICENSE**” and substitute “**ANY CLASS OF ALCOHOLIC BEVERAGES LICENSE ISSUED BY THE BOARD OF LICENSE COMMISSIONERS EXCEPT A CLASS C LICENSE AND A CLASS GC LICENSE**”; strike beginning with the colon in line 26 down through “**IN**” in line 27 and substitute “**IN**”; and strike beginning with the semicolon in line 28 down through “**PREMISES**” in line 30.

On page 3, in line 17, after “**OF**” insert “**AND HOURS OF SALE FOR**”; in line 18, strike “**IS**” and substitute “**ARE**”; in the same line, strike “**B–SBW**” and substitute

“ALCOHOLIC BEVERAGES”; and strike in their entirety lines 20 and 21 and substitute:

“(v) AN APPLICANT WHO HOLDS AN ALCOHOLIC BEVERAGES LICENSE WITHOUT AN OFF-SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE ALCOHOLIC BEVERAGES LICENSE THAT THE APPLICANT HOLDS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1196 – Delegates Ready and Pena–Melnik

AN ACT concerning

Participation in Procurement – Conflict of Interest – Exemption

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1347 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Alcoholic Beverages – Class D Licenses – ~~Follow Up~~ ~~Records Checks~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1368 – Delegate Schulz

AN ACT concerning

Frederick County – Middletown Wine Festival License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1436 – Delegates Conway and McDermott

AN ACT concerning

Worcester County – Alcoholic Beverages – Beer and Wine Festivals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #33

Senator Frosh, Chair, for the Committee on Judicial Proceedings and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 786 – Senators Muse and Ramirez

AN ACT concerning

Foreclosure Prevention and Neighborhood Stabilization Act of 2012

SB0786/108679/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 786

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Real Property – Foreclosures and Mediation”.

On pages 1 and 2, strike beginning with “requiring” in line 3 on page 1 down through “hotspots” in line 3 on page 2 and substitute “establishing a certain prefile mediation process between a secured party and a mortgagor or grantor before the commencement of a certain foreclosure action under certain circumstances; providing that a certain mortgagor or grantor is not entitled to participate in a certain postfile mediation except under certain circumstances; establishing certain procedures and notices for participation in a certain prefile mediation; altering certain procedures relating to foreclosure and postfile mediation; providing that certain provisions of law applicable to foreclosures and certain mediation processes do not apply to certain foreclosure actions on certain property if a certain certificate is issued under certain circumstances; requiring a county or municipal corporation to issue to a secured party a certificate of vacancy or certificate of property unfit for human habitation for certain residential properties under certain circumstances; authorizing a record owner or occupant of residential property to challenge a certain certificate under certain circumstances; authorizing a county or municipal corporation to charge a certain fee to issue a certain certificate; requiring and authorizing the Commissioner of Financial Regulation to adopt certain regulations; defining certain terms; making conforming changes; allowing a subtraction modification under the Maryland income tax for income resulting from a foreclosure settlement negotiated by the Attorney General; providing for the validity, under certain circumstances, of a certain order to docket or complaint to foreclose served on a mortgagor or grantor before the effective date of certain regulations; requiring the Commissioner of Financial Regulation to develop a certain description of a certain procedure and a certain form to be served under a certain provision of law; providing for the application of certain provisions of this Act; and generally relating to mortgage foreclosures and mediation”.

On page 2, in line 11, strike “14–126(d)” and substitute “7–105.11”; after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–208(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)”;

and in line 16, strike “9–110” and substitute “10–208(r)”.

AMENDMENT NO. 2

On page 2, after line 21, insert:

“7-105.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Final loss mitigation affidavit” means an affidavit that:

(i) Is made by a person authorized to act on behalf of a secured party of a mortgage or deed of trust on owner-occupied residential property that is the subject of a foreclosure action;

(ii) Certifies the completion of the final determination of loss mitigation analysis in connection with the mortgage or deed of trust; and

(iii) If denied, provides an explanation for the denial of a loan modification or other loss mitigation.

(3) “Foreclosure mediation” means a conference at which the parties in a foreclosure action, their attorneys, additional representatives of the parties, or a combination of those persons appear before an impartial individual to discuss the positions of the parties in an attempt to reach agreement on a loss mitigation program for the mortgagor or grantor.

(4) “Housing counseling services” means assistance provided to mortgagors or grantors by nonprofit and governmental entities that are identified on a list maintained by the Department of Housing and Community Development.

(5) “Loss mitigation analysis” means an evaluation of the facts and circumstances of a loan secured by owner-occupied residential property to determine:

(i) Whether a mortgagor or grantor qualifies for a loan modification; and

(ii) If there will be no loan modification, whether any other loss mitigation program may be made available to the mortgagor or grantor.

(6) “Loss mitigation program” means an option in connection with a loan secured by owner-occupied residential property that:

(i) Avoids foreclosure through loan modification or other changes to existing loan terms that are intended to allow the mortgagor or grantor to stay in the property;

(ii) Avoids foreclosure through a short sale, deed in lieu of foreclosure, or other alternative that is intended to simplify the mortgagor's or grantor's relinquishment of ownership of the property; or

(iii) Lessens the harmful impact of foreclosure on the mortgagor or grantor.

(7) “Owner-occupied residential property” means residential property in which at least one unit is occupied by an individual who:

(i) Has an ownership interest in the property; and

(ii) Uses the property as the individual's primary residence.

(8) “POSTFILE MEDIATION” MEANS FORECLOSURE MEDIATION THAT OCCURS IN ACCORDANCE WITH SUBSECTION (J) OF THIS SECTION AFTER THE DATE ON WHICH THE ORDER TO DOCKET OR COMPLAINT TO FORECLOSE IS FILED.

(9) “PREFILE MEDIATION” MEANS FORECLOSURE MEDIATION THAT OCCURS IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION BEFORE THE DATE ON WHICH THE ORDER TO DOCKET OR COMPLAINT TO FORECLOSE IS FILED.

[(8)] (10) “Preliminary loss mitigation affidavit” means an affidavit that:

(i) Is made by a person authorized to act on behalf of a secured party of a mortgage or deed of trust on owner-occupied residential property that is the subject of a foreclosure action;

(ii) Certifies the status of an incomplete loss mitigation analysis in connection with the mortgage or deed of trust; and

(iii) Includes reasons why the loss mitigation analysis is incomplete.

[(9)] (11) “Residential property” means real property improved by four or fewer single family dwelling units that are designed principally and are intended for human habitation.

(b) (1) Except as provided in paragraph (2) of this subsection, an action to foreclose a mortgage or deed of trust on residential property may not be filed until the later of:

(i) 90 days after a default in a condition on which the mortgage or deed of trust provides that a sale may be made; or

(ii) 45 days after the notice of intent to foreclose required under subsection (c) of this section is sent.

(2) (i) The secured party may petition the circuit court for leave to immediately commence an action to foreclose the mortgage or deed of trust if:

1. The loan secured by the mortgage or deed of trust was obtained by fraud or deception;

2. No payments have ever been made on the loan secured by the mortgage or deed of trust;

3. The property subject to the mortgage or deed of trust has been destroyed; or

4. The default occurred after the stay has been lifted in a bankruptcy proceeding.

(ii) The court may rule on the petition with or without a hearing.

(iii) If the petition is granted, the action may be filed at any time after a default in a condition on which the mortgage or deed of trust provides that a

sale may be made and the secured party need not send the written notice of intent to foreclose required under subsection (c) of this section.

(c) (1) Except as provided in subsection (b)(2)(iii) of this section, at least 45 days before the filing of an action to foreclose a mortgage or deed of trust on residential property, the secured party shall send a written notice of intent to foreclose to the mortgagor or grantor and the record owner.

(2) The notice of intent to foreclose shall be sent:

(i) By certified mail, postage prepaid, return receipt requested, bearing a postmark from the United States Postal Service; and

(ii) By first-class mail.

(3) A copy of the notice of intent to foreclose shall be sent to the Commissioner of Financial Regulation.

(4) The notice of intent to foreclose shall:

(i) Be in the form that the Commissioner of Financial Regulation prescribes by regulation; and

(ii) Contain:

1. The name and telephone number of:

A. The secured party;

B. The mortgage servicer, if applicable; and

C. An agent of the secured party who is authorized to modify the terms of the mortgage loan;

2. The name and license number of the Maryland mortgage lender and mortgage originator, if applicable;

3. The amount required to cure the default and reinstate the loan, including all past due payments, penalties, and fees;

4. A statement recommending that the mortgagor or grantor seek housing counseling services;

5. The telephone number and the Internet address of nonprofit and government resources available to assist mortgagors and grantors facing foreclosure, as identified by the Commissioner of Financial Regulation;

6. An explanation of the Maryland foreclosure process and time line, as prescribed by the Commissioner of Financial Regulation; and

7. Any other information that the Commissioner of Financial Regulation requires by regulation.

(5) For an owner-occupied residential property, the notice of intent to foreclose shall be accompanied by:

(i) A loss mitigation application:

1. For loss mitigation programs that are applicable to the loan secured by the mortgage or deed of trust that is the subject of the foreclosure action; or

2. If the secured party does not have its own loss mitigation application, in the form prescribed by the Commissioner of Financial Regulation;

(ii) Instructions for completing the loss mitigation application and a telephone number to call to confirm receipt of the application;

(iii) A description of the eligibility requirements for the loss mitigation programs offered by the secured party that may be applicable to the loan secured by the mortgage or deed of trust that is the subject of the foreclosure action;
[and]

(iv) An envelope addressed to the person responsible for conducting loss mitigation analysis on behalf of the secured party for the loan secured by the mortgage or deed of trust that is the subject of the foreclosure action;

(V) IF THE SECURED PARTY OFFERS PREFILE MEDIATION, A NOTICE IN THE FORM THAT THE COMMISSIONER OF FINANCIAL REGULATION PRESCRIBES BY REGULATION THAT STATES THAT:

1. THE SECURED PARTY OFFERS PREFILE MEDIATION;

2. THE MORTGAGOR OR GRANTOR MAY ELECT TO PARTICIPATE IN PREFILE MEDIATION;

3. THE MORTGAGOR OR GRANTOR WILL NOT BE ENTITLED TO POSTFILE MEDIATION IF THE MORTGAGOR OR GRANTOR PARTICIPATES IN PREFILE MEDIATION, EXCEPT AS OTHERWISE PROVIDED IN A PREFILE MEDIATION AGREEMENT;

4. THE MORTGAGOR OR GRANTOR IS REQUIRED TO PARTICIPATE IN HOUSING COUNSELING SERVICES AS A PRECONDITION TO PREFILE MEDIATION; AND

5. A FEE WILL BE CHARGED FOR THE PREFILE MEDIATION AND THE AMOUNT OF THE FEE; AND

(VI) IF THE SECURED PARTY OFFERS PREFILE MEDIATION, AN APPLICATION TO PARTICIPATE IN PREFILE MEDIATION AND INSTRUCTIONS TO COMPLETE AND SUBMIT THE APPLICATION, ALL IN THE FORM THAT THE COMMISSIONER OF FINANCIAL REGULATION PRESCRIBES BY REGULATION.

(6) For a property that is not an owner-occupied residential property, the notice of intent to foreclose shall be accompanied by:

(i) A written notice of the determination that the property is not owner-occupied residential property; and

(ii) A telephone number to call to contest that determination.

(D) (1) FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY, A SECURED PARTY MAY OFFER TO PARTICIPATE IN PREFILE MEDIATION WITH A

MORTGAGOR OR GRANTOR TO WHOM THE SECURED PARTY HAS DELIVERED A NOTICE OF INTENT TO FORECLOSE.

(2) IF OFFERED BY A SECURED PARTY, A MORTGAGOR OR GRANTOR MAY ELECT TO PARTICIPATE IN PREFILE MEDIATION.

(3) IF A MORTGAGOR OR GRANTOR ELECTS TO PARTICIPATE IN PREFILE MEDIATION, THE MORTGAGOR OR GRANTOR SHALL NOTIFY THE SECURED PARTY BY SUBMITTING THE APPLICATION DESCRIBED IN SUBSECTION (C)(5)(VI) OF THIS SECTION NOT MORE THAN 25 DAYS AFTER THE DATE ON WHICH THE NOTICE OF INTENT TO FORECLOSE IS MAILED BY THE SECURED PARTY.

(4) (I) AS A PRECONDITION TO PREFILE MEDIATION, A MORTGAGOR OR GRANTOR SHALL PARTICIPATE IN HOUSING COUNSELING SERVICES.

(II) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL PRESCRIBE THE TIMING AND FORM OF CERTIFICATION OF PARTICIPATION IN HOUSING COUNSELING SERVICES.

(5) IF A MORTGAGOR OR GRANTOR SUBMITS AN APPLICATION TO PARTICIPATE IN PREFILE MEDIATION TO THE SECURED PARTY IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION, THE SECURED PARTY SHALL NOTIFY THE OFFICE OF ADMINISTRATIVE HEARINGS NOT MORE THAN 5 BUSINESS DAYS AFTER THE DATE ON WHICH THE SECURED PARTY RECEIVES THE APPLICATION.

(6) THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL:

(I) SCHEDULE A PREFILE MEDIATION SESSION NOT MORE THAN 60 DAYS AFTER THE DAY ON WHICH IT RECEIVES NOTICE BY A SECURED PARTY OF AN ELECTION TO PARTICIPATE IN PREFILE MEDIATION; AND

(II) NOTIFY THE PARTIES AND THEIR ATTORNEYS, IF ANY, OF THE DATE OF THE PREFILE MEDIATION SESSION.

(7) BY REGULATION, THE COMMISSIONER OF FINANCIAL REGULATION SHALL:

(I) ESTABLISH THE FEE FOR PREFILE MEDIATION; AND

(II) PRESCRIBE THE FORM AND CONTENT OF THE NOTICE ABOUT PREFILE MEDIATION, THE APPLICATION TO PARTICIPATE IN PREFILE MEDIATION, AND INSTRUCTIONS TO COMPLETE THE APPLICATION.

(8) (I) NOTWITHSTANDING SUBSECTION (B)(1) OF THIS SECTION, IF THE SECURED PARTY AND GRANTOR OR MORTGAGOR ELECT TO PARTICIPATE IN PREFILE MEDIATION, AN ORDER TO DOCKET OR COMPLAINT TO FORECLOSE MAY NOT BE FILED UNTIL THE COMPLETION OF PREFILE MEDIATION IN ACCORDANCE WITH THIS SECTION.

(II) THE DATE THAT PREFILE MEDIATION IS COMPLETED IS THE DATE THAT THE OFFICE OF ADMINISTRATIVE HEARINGS ISSUES THE REPORT DESCRIBING THE RESULTS OF THE PREFILE MEDIATION.

(9) THE FEE FOR PREFILE MEDIATION COLLECTED UNDER THIS SUBSECTION SHALL BE DISTRIBUTED TO THE HOUSING COUNSELING AND FORECLOSURE MEDIATION FUND ESTABLISHED UNDER § 4-507 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(10) BY REGULATION, THE COMMISSIONER OF FINANCIAL REGULATION SHALL ESTABLISH A MEDIATION CHECKLIST THAT DESCRIBES THE MATTERS THAT SHALL BE REVIEWED AND CONSIDERED IN A PREFILE MEDIATION.

(11) (I) AT THE COMMENCEMENT OF A PREFILE MEDIATION SESSION, EACH PARTY SHALL REVIEW THE MEDIATION CHECKLIST.

(II) THE MEDIATOR SHALL MARK EACH ITEM ON THE MEDIATION CHECKLIST AS THE ITEM IS ADDRESSED AT THE PREFILE MEDIATION SESSION.

(III) AT THE CONCLUSION OF A PREFILE MEDIATION SESSION, EACH PARTY SHALL SIGN THE MEDIATION CHECKLIST.

(12) IF THE PREFILE MEDIATION RESULTS IN AN AGREEMENT, THE PARTIES SHALL EXECUTE A PREFILE MEDIATION AGREEMENT.

(13) IN ADDITION TO DESCRIBING THE TERMS OF THE AGREEMENT AMONG THE PARTIES, THE PREFILE MEDIATION AGREEMENT SHALL, IN 14 POINT, BOLD FONT:

(I) DESIGNATE THE PERSON AND ADDRESS TO WHOM THE MORTGAGOR OR GRANTOR MAY PROVIDE NOTICE OF A CHANGE OF FINANCIAL CIRCUMSTANCES; AND

(II) STATE THAT THE MORTGAGOR OR GRANTOR IS NOT ENTITLED TO POSTFILE MEDIATION UNLESS OTHERWISE AGREED BY THE PARTIES.

(14) THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL DRAFT THE PREFILE MEDIATION AGREEMENT AND PROVIDE A COPY OF THE EXECUTED AGREEMENT TO THE PARTIES AND THEIR ATTORNEYS, IF ANY.

(15) THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL PROVIDE A REPORT OF RESULTS OF MEDIATION TO THE PARTIES AND THEIR ATTORNEYS, IF ANY.

(16) IF A MORTGAGOR OR GRANTOR NOTIFIES THE PERSON DESIGNATED UNDER PARAGRAPH (13) OF THIS SUBSECTION OF A CHANGE OF FINANCIAL CIRCUMSTANCES, THE DESIGNEE SHALL:

(I) DETERMINE WHETHER THE CHANGE OF FINANCIAL CIRCUMSTANCES SHALL ALTER THE MEDIATION AGREEMENT OR OUTCOME OF THE PREFILE MEDIATION; AND

(II) NOTIFY THE MORTGAGOR OR GRANTOR OF THE DETERMINATION BY FIRST-CLASS MAIL BEFORE ANY ADDITIONAL ACTION IS TAKEN WITH RESPECT TO FORECLOSURE.

(17) (I) THE PARTIES TO THE PREFILE MEDIATION AGREEMENT MAY EXECUTE AN AMENDED PREFILE MEDIATION AGREEMENT BASED ON A MATERIAL CHANGE OF FINANCIAL CIRCUMSTANCES OF THE MORTGAGOR OR GRANTOR.

(II) THE SECURED PARTY SHALL PROVIDE A COPY OF THE EXECUTED AMENDED AGREEMENT TO THE MORTGAGOR OR GRANTOR.

(18) TO THE EXTENT THAT A NOTICE OF INTENT TO FORECLOSE COMPLIES WITH THIS SECTION AND OTHERWISE IS VALID UNDER THE LAW, A NOTICE OF INTENT TO FORECLOSE ISSUED WITH RESPECT TO A PROPERTY THAT HAS BEEN THE SUBJECT OF PREFILE MEDIATION CONTINUES TO BE VALID FOR 1 YEAR AFTER THE DATE ON WHICH THE INITIAL PREFILE MEDIATION AGREEMENT IS EXECUTED BY THE PARTIES.

(19) NOTHING IN THIS SUBSECTION SHALL PROHIBIT A SECURED PARTY AND MORTGAGOR OR GRANTOR FROM ENGAGING IN LOSS MITIGATION BY OTHER MEANS.

[(d)] (E) An order to docket or a complaint to foreclose a mortgage or deed of trust on residential property shall:

(1) Include:

(i) If applicable, the license number of:

1. The mortgage originator; and

2. The mortgage lender; and

(ii) An affidavit stating:

1. The date on which the default occurred and the nature of the default; and

2. If applicable, that:

A. A notice of intent to foreclose was sent to the mortgagor or grantor in accordance with subsection (c) of this section and the date on which the notice was sent; and

B. At the time the notice of intent to foreclose was sent, the contents of the notice of intent to foreclose were accurate; and

(2) Be accompanied by:

(i) The original or a certified copy of the mortgage or deed of trust;

(ii) A statement of the debt remaining due and payable supported by an affidavit of the plaintiff or the secured party or the agent or attorney of the plaintiff or secured party;

(iii) A copy of the debt instrument accompanied by an affidavit certifying ownership of the debt instrument;

(iv) If applicable, the original or a certified copy of the assignment of the mortgage for purposes of foreclosure or the deed of appointment of a substitute trustee;

(v) If any defendant is an individual, an affidavit that is in compliance with § 521 of the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 et seq.;

(vi) If applicable, a copy of the notice of intent to foreclose;

(VII) IF THE SECURED PARTY AND MORTGAGOR OR GRANTOR HAVE ELECTED TO PARTICIPATE IN PREFILE MEDIATION, THE REPORT OF THE PREFILE MEDIATION ISSUED BY THE OFFICE OF ADMINISTRATIVE HEARINGS;

(VIII) IF THE SECURED PARTY AND THE MORTGAGOR OR GRANTOR HAVE NOT ELECTED TO PARTICIPATE IN PREFILE MEDIATION, A STATEMENT THAT THE PARTIES HAVE NOT ELECTED TO PARTICIPATE IN PREFILE MEDIATION;

[(vii)] (IX) In addition to any other filing fees required by law, a filing fee in the amount of \$300; and

[(viii)] (X) 1. If the loss mitigation analysis has been completed subject to subsection [(e)] (G) of this section, a final loss mitigation affidavit in the form prescribed by regulation adopted by the Commissioner of Financial Regulation; and

2. If the loss mitigation analysis has not been completed, a preliminary loss mitigation affidavit in the form prescribed by regulation adopted by the Commissioner of Financial Regulation.

[(d-1)] (F) Notwithstanding any other law, the court may not accept a lost note affidavit in lieu of a copy of the debt instrument required under subsection [(d)(2)(iii)] (E)(2)(III) of this section, unless the affidavit:

(1) Identifies the owner of the debt instrument and states from whom and the date on which the owner acquired ownership;

(2) States why a copy of the debt instrument cannot be produced; and

(3) Describes the good faith efforts made to produce a copy of the debt instrument.

[(e)] (G) Only for purposes of a final loss mitigation affidavit that is filed with an order to docket or complaint to foreclose, a loss mitigation analysis is not considered complete if the reason for the denial or determination of ineligibility is due to the inability of the secured party to:

(1) Establish communication with the mortgagor or grantor; or

(2) Obtain all documentation and information necessary to conduct the loss mitigation analysis.

[(f)] (H) (1) A copy of the order to docket or complaint to foreclose on residential property and all other papers filed with it in the form and sequence as prescribed by regulations adopted by the Commissioner of Financial Regulation, accompanied by the documents required under paragraphs (2), (3), and (4) of this subsection, shall be served on the mortgagor or grantor by:

(i) Personal delivery of the papers to the mortgagor or grantor;
or

(ii) Leaving the papers with a resident of suitable age and discretion at the mortgagor's or grantor's dwelling house or usual place of abode.

(2) The service of documents under paragraph (1) of this subsection shall be accompanied by a separate, clearly marked notice, in the form prescribed by regulation adopted by the Commissioner of Financial Regulation, that states:

(i) The significance of the order to docket or a complaint to foreclose; [and]

(ii) The options for the mortgagor or grantor to take, including housing counseling SERVICES and financial assistance resources the mortgagor or grantor may consult; AND

(III) IN THE CASE OF A MORTGAGOR OR GRANTOR WHO HAS PARTICIPATED IN PREFILE MEDIATION, THAT THE MORTGAGOR OR GRANTOR IS NOT ENTITLED TO POSTFILE MEDIATION EXCEPT AS OTHERWISE PROVIDED IN THE PREFILE MEDIATION AGREEMENT.

(3) If the order to docket or complaint to foreclose is accompanied by a preliminary loss mitigation affidavit, the service of documents under paragraph (1) of this subsection shall be accompanied by a loss mitigation application form and any other supporting documents as prescribed by regulation adopted by the Commissioner of Financial Regulation.

(4) (I) [If] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF the order to docket or complaint to foreclose is accompanied by a final loss mitigation affidavit and concerns owner-occupied residential property, the

service of documents under paragraph (1) of this subsection shall be accompanied by a request for [foreclosure] POSTFILE mediation form and any other supporting documents as prescribed by regulation adopted by the Commissioner of Financial Regulation.

(ii) THE ORDER TO DOCKET OR COMPLAINT TO FORECLOSE MAY EXCLUDE THE REQUEST FOR A POSTFILE MEDIATION FORM IF:

1. THE MORTGAGOR OR GRANTOR HAS PARTICIPATED IN PREFILE MEDIATION AND THE PREFILE MEDIATION AGREEMENT DOES NOT GIVE THE MORTGAGOR OR GRANTOR THE RIGHT TO PARTICIPATE IN POSTFILE MEDIATION; OR

2. THE PROPERTY SUBJECT TO THE MORTGAGE OR DEED OF TRUST IS NOT OWNER-OCCUPIED.

(5) If at least two good faith efforts to serve the mortgagor or grantor under paragraph (1) of this subsection on different days have not succeeded, the plaintiff may effect service by:

(i) Filing an affidavit with the court describing the good faith efforts to serve the mortgagor or grantor; and

(ii) 1. Mailing a copy of all the documents required to be served under paragraph (1) of this subsection by certified mail, return receipt requested, and first-class mail to the mortgagor's or grantor's last known address and, if different, to the address of the residential property subject to the mortgage or deed of trust; and

2. Posting a copy of all the documents required to be served under paragraph (1) of this subsection in a conspicuous place on the residential property subject to the mortgage or deed of trust.

(6) The individual making service of documents under this subsection shall file proof of service with the court in accordance with the Maryland Rules.

[(g)] (I) (1) If the order to docket or complaint to foreclose is accompanied by a preliminary loss mitigation affidavit, the secured party, at least 30 days before the date of a foreclosure sale, shall:

(i) File with the court a final loss mitigation affidavit in the form prescribed by regulation adopted by the Commissioner of Financial Regulation; and

(ii) Send to the mortgagor or grantor by first class and by certified mail:

1. A copy of the final loss mitigation affidavit; and

2. A request for [foreclosure] POSTFILE mediation form and supporting documents as provided under subsection [(f)(4)] (H)(4) of this section.

(2) A final loss mitigation affidavit shall be filed under this subsection no earlier than 28 days after the order to docket or complaint to foreclose is served on the mortgagor or grantor.

[(h)] (J) (1) (i) THIS PARAGRAPH APPLIES TO A MORTGAGOR OR GRANTOR WHO:

1. HAS NOT PARTICIPATED IN PREFILE MEDIATION;
OR

2. HAS PARTICIPATED IN PREFILE MEDIATION THAT RESULTED IN A PREFILE MEDIATION AGREEMENT THAT GIVES THE MORTGAGOR OR GRANTOR THE RIGHT TO PARTICIPATE IN POSTFILE MEDIATION.

(II) In a foreclosure action on owner-occupied residential property, the mortgagor or grantor may file with the court a completed request for [foreclosure] POSTFILE mediation not later than:

1. If the final loss mitigation affidavit was delivered along with service of the copy of the order to docket or complaint to foreclose under subsection [(f)] (H) of this section, 25 days after that service on the mortgagor or grantor; or

2. If the final loss mitigation affidavit was mailed as provided in subsection [(g)] (I) of this section, 25 days after the mailing of the final loss mitigation affidavit.

[(ii)] (III) 1. A request for [foreclosure] POSTFILE mediation shall be accompanied by a filing fee of \$50.

2. The court may reduce or waive the filing fee under subsubparagraph 1 of this subparagraph if the mortgagor or grantor is eligible for a reduction or waiver under the Maryland Legal Services guidelines.

[(iii)] (IV) The mortgagor or grantor shall mail a copy of the request for [foreclosure] POSTFILE mediation to the secured party's foreclosure attorney.

(2) (i) The secured party may file a motion to strike the request for [foreclosure] POSTFILE mediation in accordance with the Maryland Rules.

(ii) The motion to strike must be accompanied by an affidavit that sets forth the reasons why [foreclosure] POSTFILE mediation is not appropriate.

(iii) The secured party shall mail a copy of the motion to strike and the accompanying affidavit to the mortgagor or grantor.

(iv) There is a presumption that a mortgagor or grantor is entitled to [foreclosure] POSTFILE mediation WITH RESPECT TO OWNER–OCCUPIED RESIDENTIAL PROPERTY unless [good]:

1. GOOD cause is shown why [foreclosure] POSTFILE mediation is not appropriate; OR

2. THE MORTGAGOR OR GRANTOR PARTICIPATED IN PREFILE MEDIATION AND THE PREFILE MEDIATION AGREEMENT DOES NOT GIVE THE MORTGAGOR OR GRANTOR THE RIGHT TO PARTICIPATE IN POSTFILE MEDIATION.

(3) (i) The mortgagor or grantor may file a response to the motion to strike within 15 days.

(ii) The mortgagor or grantor shall mail a copy of the response to the foreclosure attorney.

(iii) If the court grants the motion to strike, the court shall instruct the Office of Administrative Hearings to cancel any scheduled POSTFILE mediation.

~~[(i)]~~ (K) (1) Within 5 days after receipt of a request for [foreclosure] POSTFILE mediation, the court shall transmit the request to the Office of Administrative Hearings for scheduling.

(2) (i) Within 60 days after transmittal of the request for foreclosure mediation, the Office of Administrative Hearings shall conduct a foreclosure mediation.

(ii) For good cause, the Office of Administrative Hearings may extend the time for completing the foreclosure mediation for a period not exceeding 30 days or, if all parties agree, for a longer period of time.

(3) The Office of Administrative Hearings shall send notice of the scheduled foreclosure mediation to the foreclosure attorney, the secured party, and the mortgagor or grantor.

(4) The notice from the Office of Administrative Hearings shall:

(i) Include instructions regarding the documents and information, as required by regulations adopted by the Commissioner of Financial Regulation, that must be provided by each party to the other party and to the mediator; and

(ii) Require the information and documents to be provided no later than 20 days before the scheduled date of the foreclosure mediation.

~~[(i)]~~ (L) (1) (I) BY REGULATION, THE COMMISSIONER OF FINANCIAL REGULATION SHALL ESTABLISH A MEDIATION CHECKLIST THAT

DESCRIBES THE MATTERS THAT SHALL BE REVIEWED AND CONSIDERED IN A POSTFILE MEDIATION.

(II) AT THE COMMENCEMENT OF A POSTFILE MEDIATION SESSION, EACH PARTY SHALL REVIEW THE MEDIATION CHECKLIST.

(III) THE MEDIATOR SHALL MARK EACH ITEM ON THE MEDIATION CHECKLIST AS THE ITEM IS ADDRESSED AT THE POSTFILE MEDIATION SESSION.

(IV) AT THE CONCLUSION OF A POSTFILE MEDIATION SESSION, EACH PARTY SHALL SIGN THE MEDIATION CHECKLIST.

(2) At a foreclosure mediation:

(i) The mortgagor or grantor shall be present;

(ii) The mortgagor or grantor may be accompanied by a housing counselor and may have legal representation;

(iii) The secured party, or a representative of the secured party, shall be present; and

(iv) Any representative of the secured party must have the authority to settle the matter or be able to readily contact a person with authority to settle the matter.

[(2)] (3) At the foreclosure mediation, the parties and the mediator shall address loss mitigation programs that may be applicable to the loan secured by the mortgage or deed of trust that is the subject of the foreclosure action.

[(3)] (4) The Office of Administrative Hearings shall file a report with the court that states the outcome of the request for foreclosure mediation within the earlier of:

(i) 7 days after a foreclosure mediation is held; or

(ii) The end of the 60-day mediation period specified in subsection [(i)(2)] (K)(2) of this section, plus any extension granted by the Office of Administrative Hearings.

[(4)] (5) Except for a request for postponement or a failure to appear, the rules of procedure for contested cases of the Office of Administrative Hearings do not govern a foreclosure mediation conducted by the Office.

[(k)] (M) (1) If the parties do not reach an agreement at the [foreclosure] POSTFILE mediation, or the 60-day mediation period expires without an extension granted by the Office of Administrative Hearings, the foreclosure attorney may schedule the foreclosure sale.

(2) (i) [Subject] IN THE CASE OF POSTFILE MEDIATION, SUBJECT to subparagraphs (ii), (iii), and (iv) of this paragraph, the mortgagor or grantor may file a motion to stay the foreclosure sale.

(ii) A motion to stay under this paragraph shall be filed within 15 days after:

1. The date the [foreclosure] POSTFILE mediation is held; or

2. If no [foreclosure] POSTFILE mediation is held, the date the Office of Administrative Hearings files its report with the court.

(iii) A motion to stay under this paragraph must allege specific reasons why loss mitigation should have been granted.

(3) Nothing in this subtitle precludes the mortgagor or grantor from pursuing any other remedy or legal defense available to the mortgagor or grantor.

[(l)] (N) A foreclosure sale of residential property may not occur until:

(1) If the residential property is not owner-occupied residential property, at least 45 days after service of process is made under subsection [(f)] (H) of this section;

(2) If the residential property is owner-occupied residential property and foreclosure mediation is not held, the later of:

(i) At least 45 days after service of process that includes a final loss mitigation affidavit made under subsection [(f)] (H) of this section; or

(ii) At least 30 days after a final loss mitigation affidavit is mailed under subsection [(g)] (I) of this section; and

(3) If the residential property is owner-occupied residential property and [foreclosure] POSTFILE mediation is requested, at least 15 days after:

(i) The date the [foreclosure] POSTFILE mediation is held; or

(ii) If no [foreclosure] POSTFILE mediation is held, the date the Office of Administrative Hearings files its report with the court.

[(m)] (O) Notice of the time, place, and terms of a foreclosure sale shall be published in a newspaper of general circulation in the county where the action is pending at least once a week for 3 successive weeks, the first publication to be not less than 15 days before the sale and the last publication to be not more than 1 week before the sale.

[(n)] (P) (1) The mortgagor or grantor of residential property has the right to cure the default by paying all past due payments, penalties, and fees and reinstate the loan at any time up to 1 business day before the foreclosure sale occurs.

(2) The secured party or an authorized agent of the secured party shall, on request, provide to the mortgagor or grantor or the mortgagor's or grantor's attorney within a reasonable time the amount necessary to cure the default and reinstate the loan and instructions for delivering the payment.

[(o)] (Q) An action for failure to comply with the provisions of this section shall be brought within 3 years after the date of the order ratifying the sale.

[(p)] (R) Revenue collected from the filing fees required under subsections [(d)(2)(vii)] (E)(2)(IX) and [(h)(1)(ii)] (J)(1)(III) of this section shall be distributed to

the Housing Counseling and Foreclosure Mediation Fund established under § 4–507 of the Housing and Community Development Article.

(S) THE COMMISSIONER OF FINANCIAL REGULATION MAY ADOPT ADDITIONAL REGULATIONS NECESSARY TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.

7–105.11.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION” MEANS:

(I) IN BALTIMORE CITY, A CERTIFICATE OF SUBSTANTIAL REPAIR; OR

(II) A CERTIFICATE FOR RESIDENTIAL PROPERTY ISSUED BY A UNIT OF A COUNTY OR MUNICIPAL CORPORATION INDICATING THAT THE COUNTY OR MUNICIPAL CORPORATION HAS DETERMINED THAT THE RESIDENTIAL PROPERTY IS UNFIT FOR HUMAN HABITATION.

(3) “CERTIFICATE OF VACANCY” MEANS A CERTIFICATE FOR A RESIDENTIAL PROPERTY ISSUED BY A UNIT OF A COUNTY OR MUNICIPAL CORPORATION INDICATING THAT THE RESIDENTIAL PROPERTY IS VACANT.

(B) THIS SECTION APPLIES ONLY TO A COUNTY OR MUNICIPAL CORPORATION THAT ISSUES A CERTIFICATE OF VACANCY OR A CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION.

(C) IF A MORTGAGE OR DEED OF TRUST ON RESIDENTIAL PROPERTY IS IN DEFAULT, A PERSON WITH A SECURED INTEREST IN THE RESIDENTIAL PROPERTY MAY REQUEST THAT A COUNTY OR MUNICIPAL CORPORATION ISSUE A CERTIFICATE OF VACANCY OR A CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION.

(D) (1) THE COUNTY OR MUNICIPAL CORPORATION SHALL ISSUE TO A SECURED PARTY A CERTIFICATE OF VACANCY FOR A RESIDENTIAL PROPERTY IF THE COUNTY OR MUNICIPAL CORPORATION DETERMINES THAT THE RESIDENTIAL PROPERTY IS VACANT.

(2) THE COUNTY OR MUNICIPAL CORPORATION SHALL ISSUE TO A SECURED PARTY A CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION FOR A RESIDENTIAL PROPERTY IF THE COUNTY OR MUNICIPAL CORPORATION DETERMINES IN ACCORDANCE WITH REQUIREMENTS OF LOCAL, COUNTY, OR STATE HOUSING CODES, THAT THE RESIDENTIAL PROPERTY IS UNFIT FOR HUMAN HABITATION.

(3) A CERTIFICATE OF VACANCY OR CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION ISSUED UNDER THIS SUBSECTION IS VALID FOR 60 DAYS AFTER THE DATE THE CERTIFICATE IS ISSUED.

(4) A COUNTY OR MUNICIPAL CORPORATION MAY CHARGE A FEE NOT TO EXCEED \$100 TO A SECURED PARTY TO ISSUE A CERTIFICATE OF VACANCY OR A CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION.

(E) EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, IF A CERTIFICATE OF VACANCY OR CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION IS VALID AT THE TIME OF FILING AN ORDER TO DOCKET OR COMPLAINT TO FORECLOSE, § 7-105.1 OF THIS SUBTITLE DOES NOT APPLY TO AN ACTION TO FORECLOSE A MORTGAGE OR DEED OF TRUST ON THE PROPERTY FOR WHICH THE CERTIFICATE WAS ISSUED.

(F) (1) THE RECORD OWNER OR OCCUPANT OF A PROPERTY MAY CHALLENGE THE CERTIFICATE OF VACANCY OR CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION UNDER THIS SECTION BY NOTIFYING THE CIRCUIT COURT OF THE CHALLENGE.

(2) A SECURED PARTY FILING AN ORDER TO DOCKET OR COMPLAINT TO FORECLOSE BASED ON A CERTIFICATE OF VACANCY OR A CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION UNDER THIS

SECTION SHALL SERVE THE FORECLOSURE DOCUMENTS IN ACCORDANCE WITH § 7-105.1(H)(1) OF THIS SUBTITLE ALONG WITH A DESCRIPTION OF THE PROCEDURE TO CHALLENGE THE CERTIFICATE AND THE FORM TO BE USED TO MAKE THE CHALLENGE.

(3) IF A CHALLENGE UNDER PARAGRAPH (1) OF THIS SUBSECTION IS UPHELD, THE SECURED PARTY SHALL COMPLY WITH THE REQUIREMENTS OF § 7-105.1 OF THIS SUBTITLE.

(G) A COUNTY OR MUNICIPAL CORPORATION MAY ESTABLISH PROCEDURES GOVERNING THE ISSUANCE OF A CERTIFICATE OF VACANCY OR CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION UNDER THIS SECTION.

Article – Tax – General

10-208.

(a) In addition to the modification under § 10-207 of this subtitle, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(R) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES ANY PAYMENT TO AN INDIVIDUAL MADE AS A RESULT OF A FORECLOSURE SETTLEMENT NEGOTIATED BY THE ATTORNEY GENERAL.

SECTION 2. AND BE IT FURTHER ENACTED, That an order to docket or complaint to foreclose served on a mortgagor or grantor before the effective date of regulations adopted by the Commissioner of Financial Regulation under Section 1 of this Act is in compliance with Maryland law if the order or complaint complies with § 7-105.1 of the Real Property Article as it existed immediately before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the Commissioner of Financial Regulation shall develop the description of the procedure to challenge a certificate of vacancy or certificate of property unfit for human habitation and the form to be used to make the challenge that are required to be served under § 7-105.11(f)(2), as enacted by this Act.”;

and strike in their entirety the lines beginning with line 22 on page 2 through line 8 on page 18 and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That § 10–208(r) of the Tax – General Article, as enacted by Section 1 of this Act, shall take effect July 1, 2012, and shall be applicable to all taxable years beginning after December 31, 2011.

SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect October 1, 2012.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 995 – Senators Brinkley, Raskin, Colburn, Currie, Forehand, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Kittleman, Madaleno, Mathias, Montgomery, Peters, Pinsky, Pugh, Robey, Rosapepe, and Zirkin

EMERGENCY BILL

AN ACT concerning

Medical Marijuana Oversight Commission

SB0995/848177/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 995

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Oversight Commission” and substitute “Caregivers – Certificate of Qualifying Patient”.

On pages 1 through 3, strike beginning with “making” in line 3 on page 1 down through “Fund” in line 29 on page 3, and substitute “establishing that it is an

affirmative defense to a prosecution for the possession of marijuana or the possession of certain drug paraphernalia that the defendant was a certain caregiver and possessed the marijuana or drug paraphernalia for a certain purpose; establishing that a certain qualifying patient who has been issued and possesses a certain written certification is not subject to arrest, citation, prosecution, or civil or administrative penalty by a professional licensing board or denied a right or privilege for the medical use of marijuana, under certain circumstances; establishing that a qualifying patient may not be denied certain rights relating to child custody or visitation or presumed guilty of certain charges based solely on certain conduct; establishing that a qualifying patient is not disqualified from certain medical care; providing that a certain physician is not subject to arrest, prosecution, or civil or administrative penalty for providing a certain written certification or making certain statements; establishing that this Act does not prevent certain sanctions from being imposed on a physician; providing that marijuana, marijuana paraphernalia, and certain other property may not be seized or forfeited under certain circumstances; establishing that a certain individual is not subject to arrest or prosecution for a certain offense solely for being in a certain location; providing that a certain written certification issued under the laws of another jurisdiction has the same force and effect as a written certification in this State; providing that possession of a certain written certification may not be the basis for a certain finding of probable cause; establishing that a certain written certification issued to a minor is not valid except under certain circumstances; establishing that this Act does not authorize certain conduct or prohibit the imposition of certain penalties; providing that this Act does not require a public or private health care insurer to make a certain reimbursement; providing a statutory form for a written certification of qualifying patient;”.

On page 3, strike in their entirety lines 32 through 37, inclusive; in line 40, strike “5–402(d)(1)” and substitute “5–601 and 5–619”; and strike in their entirety lines 43 and 44.

On page 4, strike in their entirety lines 1 through 3, inclusive; in line 6, strike “13–3101 through 13–3116” and substitute “24–1801 through 24–1806”; in the same line, strike “31.” and substitute “18.”; and strike beginning with “Section(s)” in line 11 down through “That” in line 14.

AMENDMENT NO. 2

On pages 4 through 6, strike in their entirety the lines beginning with line 17 on page 4 through line 19 on page 6, inclusive, and substitute:

“5–601.

(a) Except as otherwise provided in this title, a person may not:

(1) possess or administer to another a controlled dangerous substance, unless obtained directly or by prescription or order from an authorized provider acting in the course of professional practice; or

(2) obtain or attempt to obtain a controlled dangerous substance, or procure or attempt to procure the administration of a controlled dangerous substance by:

(i) fraud, deceit, misrepresentation, or subterfuge;

(ii) the counterfeiting or alteration of a prescription or a written order;

(iii) the concealment of a material fact;

(iv) the use of a false name or address;

(v) falsely assuming the title of or representing to be a manufacturer, distributor, or authorized provider; or

(vi) making, issuing, or presenting a false or counterfeit prescription or written order.

(b) Information that is communicated to a physician in an effort to obtain a controlled dangerous substance in violation of this section is not a privileged communication.

(c) (1) Except as provided in paragraphs (2) and (3) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 4 years or a fine not exceeding \$25,000 or both.

(2) A person whose violation of this section involves the use or possession of marijuana is subject to imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both.

(3) (i) 1. In this paragraph the following words have the meanings indicated.

2. “Bona fide physician–patient relationship” means a relationship in which the physician has ongoing responsibility for the assessment, care, and treatment of a patient’s medical condition.

3. “CAREGIVER” MEANS A RESIDENT OF THE STATE WHO:

A. IS AT LEAST 21 YEARS OLD OR, IF THE INDIVIDUAL IS PROVIDING CARE TO A FAMILY MEMBER, SPOUSE, OR DOMESTIC PARTNER, IS AT LEAST 18 YEARS OLD;

B. HAS NOT BEEN CONVICTED OF A FELONY FOR A CRIME OF VIOLENCE AS DEFINED IN § 14–101 OF THIS ARTICLE;

C. HAS NOT BEEN CONVICTED OF A FELONY FOR A VIOLATION OF A STATE OR FEDERAL CONTROLLED SUBSTANCES LAW; AND

D. IS ONE OF NO MORE THAN TWO CAREGIVERS DESIGNATED BY A PATIENT TO PROVIDE PHYSICAL OR MEDICAL ASSISTANCE TO THE PATIENT, PROVIDED THE PATIENT HAS BEEN DIAGNOSED WITH A DEBILITATING MEDICAL CONDITION BY A PHYSICIAN WITH WHOM THE PATIENT HAS A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP.

[3.] 4. “Debilitating medical condition” means a chronic or debilitating disease or medical condition or the treatment of a chronic or debilitating disease or medical condition that produces one or more of the following, as documented by a physician with whom the patient has a bona fide physician–patient relationship:

A. cachexia or wasting syndrome;

B. severe or chronic pain;

C. severe nausea;

D. seizures;

E. severe and persistent muscle spasms; or

F. any other condition that is severe and resistant to conventional medicine.

(ii) 1. In a prosecution for the use or possession of marijuana, the defendant may introduce and the court shall consider as a mitigating factor any evidence of medical necessity.

2. Notwithstanding paragraph (2) of this subsection, if the court finds that the person used or possessed marijuana because of medical necessity, on conviction of a violation of this section, the maximum penalty that the court may impose on the person is a fine not exceeding \$100.

(iii) 1. In a prosecution for the use or possession of marijuana under this section, it is an affirmative defense that the defendant used or possessed marijuana because:

A. the defendant has a debilitating medical condition that has been diagnosed by a physician with whom the defendant has a bona fide physician-patient relationship;

B. the debilitating medical condition is severe and resistant to conventional medicine; and

C. marijuana is likely to provide the defendant with therapeutic or palliative relief from the debilitating medical condition.

2. IN A PROSECUTION FOR THE POSSESSION OF MARIJUANA UNDER THIS SECTION, IT IS AN AFFIRMATIVE DEFENSE THAT THE DEFENDANT POSSESSED MARIJUANA BECAUSE THE DEFENDANT WAS A CAREGIVER AND THE MARIJUANA WAS INTENDED FOR MEDICAL USE BY AN INDIVIDUAL WITH A DEBILITATING MEDICAL CONDITION.

[2.] 3. [The] AN affirmative defense UNDER THIS PARAGRAPH may not be used if the defendant was:

- A. using marijuana in a public place; or
- B. in possession of more than 1 ounce of marijuana.

5-619.

(a) To determine whether an object is drug paraphernalia, a court shall consider, among other logically relevant factors:

(1) any statement by an owner or a person in control of the object concerning its use;

(2) any prior conviction of an owner or a person in control of the object under a State or federal law relating to a controlled dangerous substance;

(3) the proximity of the object, in time and space, to a direct violation of this section or to a controlled dangerous substance;

(4) a residue of a controlled dangerous substance on the object;

(5) direct or circumstantial evidence of the intent of an owner or a person in control of the object to deliver it to another who, the owner or the person knows or should reasonably know, intends to use the object to facilitate a violation of this section;

(6) any instructions, oral or written, provided with the object concerning its use;

(7) any descriptive materials accompanying the object that explain or depict its use;

(8) national and local advertising concerning use of the object;

(9) the manner in which the object is displayed for sale;

(10) whether the owner or a person in control of the object is a licensed distributor or dealer of tobacco products or other legitimate supplier of related items to the community;

(11) direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;

(12) the existence and scope of legitimate uses for the object in the community; and

(13) expert testimony concerning use of the object.

(b) The innocence of an owner or a person in control of the object as to a direct violation of this section does not prevent a finding that the object is intended for use or designed for use as drug paraphernalia.

(c) (1) Unless authorized under this title, a person may not use or possess with intent to use drug paraphernalia to:

(i) plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled dangerous substance; or

(ii) inject, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance.

(2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to:

(i) for a first violation, a fine not exceeding \$500; and

(ii) for each subsequent violation, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both.

(3) A person who is convicted of violating this subsection for the first time and who previously has been convicted of violating subsection (d)(4) of this section is subject to the penalty specified under paragraph (2)(ii) of this subsection.

(4) (i) 1. In this paragraph the following words have the meanings indicated.

2. “Bona fide physician–patient relationship” means a relationship in which the physician has ongoing responsibility for the assessment, care, and treatment of a patient’s medical condition.

3. “CAREGIVER” MEANS A RESIDENT OF THE STATE

WHO:

A. IS AT LEAST 21 YEARS OLD OR, IF THE INDIVIDUAL IS PROVIDING CARE TO A FAMILY MEMBER, SPOUSE, OR DOMESTIC PARTNER, IS AT LEAST 18 YEARS OLD;

B. HAS NOT BEEN CONVICTED OF A FELONY FOR A CRIME OF VIOLENCE AS DEFINED IN § 14–101 OF THIS ARTICLE;

C. HAS NOT BEEN CONVICTED OF A FELONY FOR A VIOLATION OF A STATE OR FEDERAL CONTROLLED SUBSTANCES LAW; AND

D. IS ONE OF NO MORE THAN TWO CAREGIVERS DESIGNATED BY A PATIENT TO PROVIDE PHYSICAL OR MEDICAL ASSISTANCE TO THE PATIENT, PROVIDED THE PATIENT HAS BEEN DIAGNOSED WITH A DEBILITATING MEDICAL CONDITION BY A PHYSICIAN WITH WHOM THE PATIENT HAS A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP.

[3.] 4. “Debilitating medical condition” means a chronic or debilitating disease or medical condition or the treatment of a chronic or debilitating disease or medical condition that produces one or more of the following, as documented by a physician with whom the patient has a bona fide physician–patient relationship:

A. cachexia or wasting syndrome;

B. severe or chronic pain;

C. severe nausea;

D. seizures;

E. severe and persistent muscle spasms; or

F. any other condition that is severe and resistant to conventional medicine.

(ii) 1. In a prosecution under this subsection involving drug paraphernalia related to marijuana, the defendant may introduce and the court shall consider as a mitigating factor any evidence of medical necessity.

2. Notwithstanding paragraph (2) of this subsection, if the court finds that the person used or possessed drug paraphernalia related to marijuana because of medical necessity, on conviction of a violation of this subsection, the maximum penalty that the court may impose on the person is a fine not exceeding \$100.

(iii) 1. In a prosecution under this subsection involving drug paraphernalia related to marijuana, it is an affirmative defense that the defendant used or possessed drug paraphernalia related to marijuana because:

A. the defendant has a debilitating medical condition that has been diagnosed by a physician with whom the defendant has a bona fide physician–patient relationship;

B. the debilitating medical condition is severe and resistant to conventional medicine; and

C. marijuana is likely to provide the defendant with therapeutic or palliative relief from the debilitating medical condition.

2. IN A PROSECUTION UNDER THIS SUBSECTION INVOLVING DRUG PARAPHERNALIA RELATED TO MARIJUANA, IT IS AN AFFIRMATIVE DEFENSE THAT THE DEFENDANT POSSESSED DRUG PARAPHERNALIA RELATED TO MARIJUANA BECAUSE THE DEFENDANT WAS A CAREGIVER AND THE DRUG PARAPHERNALIA RELATED TO MARIJUANA THAT WAS INTENDED FOR MEDICAL USE BY AN INDIVIDUAL WITH A DEBILITATING MEDICAL CONDITION.

[2.] 3. [The] AN affirmative defense UNDER THIS SUBPARAGRAPH may not be used if the defendant was:

A. using marijuana in a public place; or

B. in possession of more than 1 ounce of marijuana.

(d) (1) Unless authorized under this title, a person may not deliver or sell, or manufacture or possess with intent to deliver or sell, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that the drug paraphernalia will be used to:

(i) plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled dangerous substance; or

(ii) inject, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance.

(2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to:

(i) for a first violation, a fine not exceeding \$500; and

(ii) for each subsequent violation, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both.

(3) A person who is convicted of violating this subsection for the first time and who previously has been convicted of violating paragraph (4) of this subsection is subject to imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both.

(4) If a person who is at least 18 years old violates paragraph (1) of this subsection by delivering drug paraphernalia to a minor who is at least 3 years younger than the person, the person is guilty of a separate misdemeanor and on conviction is subject to imprisonment not exceeding 8 years or a fine not exceeding \$15,000 or both.

(e) (1) A person may not advertise in a newspaper, magazine, handbill, poster, sign, mailing, or other writing or publication, or by sound truck, knowing, or under circumstances where one reasonably should know, that the purpose of the

advertisement, wholly or partly, is to promote the sale or delivery of drug paraphernalia.

(2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to:

(i) for a first violation, a fine not exceeding \$500; and

(ii) for each subsequent violation, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both.”.

AMENDMENT NO. 3

On page 6, in line 21, strike “**31.**” and substitute “**18.**”; and in line 22, strike “**13–3101.**” and substitute “**24–1801.**”.

AMENDMENT NO. 4

On pages 6 through 38, strike in their entirety the lines beginning with line 25 on page 6 through line 24 on page 38, inclusive, and substitute:

“(B) “BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP” HAS THE MEANING STATED IN § 5–601 OF THE CRIMINAL LAW ARTICLE.

(C) “DEBILITATING MEDICAL CONDITION” HAS THE MEANING STATED IN § 5–601 OF THE CRIMINAL LAW ARTICLE.

(D) “MARIJUANA” HAS THE MEANING STATED IN § 5–101 OF THE CRIMINAL LAW ARTICLE.

(E) (1) “MEDICAL USE” MEANS THE ACQUISITION, POSSESSION, PREPARATION, USE, DELIVERY, TRANSFER, OR TRANSPORTATION OF MARIJUANA OR PARAPHERNALIA RELATING TO THE ADMINISTRATION OF MARIJUANA TO TREAT OR ALLEVIATE A QUALIFYING PATIENT’S DEBILITATING MEDICAL CONDITION.

(2) “MEDICAL USE” DOES NOT INCLUDE THE USE OF MARIJUANA BY A DESIGNATED CAREGIVER WHO IS NOT A QUALIFYING PATIENT.

(F) “PHYSICIAN” MEANS:

(1) AN INDIVIDUAL LICENSED BY THE STATE BOARD OF PHYSICIANS UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE TO PRACTICE MEDICINE; OR

(2) IN RELATION TO A VISITING QUALIFYING PATIENT, AN INDIVIDUAL LICENSED TO PRESCRIBE DRUGS TO INDIVIDUALS IN THE STATE OF THE PATIENT’S RESIDENCE AND WHO POSSESSES CERTIFICATION FROM THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION TO PRESCRIBE CONTROLLED SUBSTANCES.

(G) “QUALIFYING PATIENT” MEANS:

(1) A RESIDENT OF THE STATE WHO SUFFERS FROM A DEBILITATING MEDICAL CONDITION AND POSSESSES A WRITTEN CERTIFICATION ISSUED TO THE PATIENT BY A PHYSICIAN WITH WHOM THE PATIENT HAS A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP; OR

(2) AN INDIVIDUAL WHO:

(i) IS NOT A RESIDENT OF MARYLAND OR WHO HAS BEEN A RESIDENT OF MARYLAND FOR FEWER THAN 30 DAYS;

(ii) SUFFERS FROM A DEBILITATING MEDICAL CONDITION;
AND

(iii) POSSESSES A VALID WRITTEN CERTIFICATION OR AN EQUIVALENT DOCUMENT ISSUED UNDER THE LAWS OF ANOTHER STATE THAT ALLOWS THE INDIVIDUAL TO ENGAGE IN THE MEDICAL USE OF MARIJUANA.

(H) (1) “WRITTEN CERTIFICATION” MEANS A DOCUMENT THAT:

(i) IS IN THE FORM OR SUBSTANTIALLY IN THE FORM PROVIDED IN § 24–1806 OF THIS SUBTITLE;

(II) IS SIGNED AND DATED BY A PHYSICIAN;

(III) IS VALID FOR 1 YEAR; AND

(IV) STATES THAT IN THE PHYSICIAN'S PROFESSIONAL OPINION A PATIENT IS LIKELY TO RECEIVE THERAPEUTIC OR PALLIATIVE BENEFIT FROM THE USE OF MARIJUANA TO TREAT OR ALLEVIATE THE PATIENT'S DEBILITATING MEDICAL CONDITION.

(2) "WRITTEN CERTIFICATION" DOES NOT INCLUDE A DOCUMENT THAT IS NOT PROVIDED IN THE COURSE OF A BONA FIDE PHYSICIAN-PATIENT RELATIONSHIP AFTER THE PHYSICIAN HAS COMPLETED A FULL ASSESSMENT OF THE QUALIFYING PATIENT'S MEDICAL HISTORY.

24-1802.

(A) A QUALIFYING PATIENT IS NOT SUBJECT TO ARREST, CITATION, PROSECUTION, OR CIVIL OR ADMINISTRATIVE PENALTY, INCLUDING DISCIPLINARY ACTION, BY A PROFESSIONAL LICENSING BOARD, AND MAY NOT BE DENIED A RIGHT OR PRIVILEGE, FOR THE MEDICAL USE OF MARIJUANA.

(B) A PERSON OTHERWISE ENTITLED TO CUSTODY OF, OR VISITATION OR PARENTING TIME WITH, A MINOR MAY NOT:

(1) BE DENIED THE RIGHT SOLELY FOR CONDUCT ALLOWED UNDER THIS SUBTITLE; OR

(2) BE PRESUMED GUILTY OF NEGLIGENCE OR CHILD ENDANGERMENT.

(C) FOR THE PURPOSES OF MEDICAL CARE, INCLUDING ORGAN TRANSPLANTS, A QUALIFYING PATIENT'S AUTHORIZED USE OF MARIJUANA IN ACCORDANCE WITH THIS SUBTITLE IS THE EQUIVALENT OF THE AUTHORIZED USE OF ANY OTHER MEDICATION USED AT THE DIRECTION OF A PHYSICIAN, AND DOES NOT CONSTITUTE THE USE OF AN ILLICIT SUBSTANCE OR OTHERWISE DISQUALIFY A QUALIFYING PATIENT FROM NEEDED MEDICAL CARE.

(D) (1) A PHYSICIAN IS NOT SUBJECT TO ARREST, PROSECUTION, OR CIVIL OR ADMINISTRATIVE PENALTY, INCLUDING DISCIPLINARY ACTION, BY THE MARYLAND BOARD OF PHYSICIANS OR OTHER OCCUPATIONAL OR PROFESSIONAL LICENSING BOARD OR BUREAU AND MAY NOT BE DENIED A RIGHT OR PRIVILEGE SOLELY FOR PROVIDING WRITTEN CERTIFICATIONS OR FOR OTHERWISE STATING THAT, IN THE PHYSICIAN'S PROFESSIONAL OPINION, A PATIENT IS LIKELY TO RECEIVE THERAPEUTIC OR PALLIATIVE BENEFIT FROM THE MEDICAL USE OF MARIJUANA TO TREAT OR ALLEVIATE THE PATIENT'S DEBILITATING MEDICAL CONDITION.

(2) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO PREVENT A PROFESSIONAL LICENSING BOARD FROM SANCTIONING A PHYSICIAN FOR FAILING TO PROPERLY EVALUATE A PATIENT'S MEDICAL CONDITION.

(E) MARIJUANA, MARIJUANA PARAPHERNALIA, PROPERTY, OR INTEREST IN PROPERTY THAT IS POSSESSED, OWNED, OR USED IN CONNECTION WITH THE MEDICAL USE OF MARIJUANA BY A QUALIFYING PATIENT AS ALLOWED UNDER THIS SUBTITLE, OR ACTS INCIDENTAL TO THE POSSESSION, OWNERSHIP, OR USE, MAY NOT BE SEIZED OR FORFEITED ON THE BASIS OF THE USE OR POSSESSION OF MARIJUANA OR MARIJUANA PARAPHERNALIA.

(F) AN INDIVIDUAL IS NOT SUBJECT TO ARREST, OR PROSECUTION FOR CONSTRUCTIVE POSSESSION, CONSPIRACY, OR OTHER OFFENSE SOLELY FOR BEING IN THE PRESENCE OR VICINITY OF THE MEDICAL USE OF MARIJUANA BY A QUALIFYING PATIENT AS ALLOWED UNDER THIS SUBTITLE.

(G) A VALID WRITTEN CERTIFICATION, OR ITS EQUIVALENT, THAT IS ISSUED UNDER THE LAWS OF ANOTHER STATE, DISTRICT, OR TERRITORY OF THE UNITED STATES THAT ALLOWS, IN THE JURISDICTION OF ISSUANCE, A PATIENT TO POSSESS MARIJUANA FOR MEDICAL PURPOSES, HAS THE SAME FORCE AND EFFECT AS A WRITTEN CERTIFICATION ISSUED IN THIS STATE.

(H) THE POSSESSION OF A WRITTEN CERTIFICATION MAY NOT BE THE BASIS FOR A FINDING OF PROBABLE CAUSE TO SEARCH AN INDIVIDUAL OR THE PROPERTY OF AN INDIVIDUAL, OR OTHERWISE SUBJECT THE INDIVIDUAL OR

THE PROPERTY OF THE INDIVIDUAL TO INSPECTION BY A GOVERNMENTAL UNIT.

24-1803.

A WRITTEN CERTIFICATION IS NOT VALID FOR A PATIENT WHO IS A MINOR UNLESS THE WRITTEN CERTIFICATION IS ACCOMPANIED BY A STATEMENT FROM A CUSTODIAL PARENT OR LEGAL GUARDIAN WITH RESPONSIBILITY FOR HEALTH CARE DECISIONS FOR THE MINOR AFFIRMING THAT:

(1) THE PHYSICIAN HAS EXPLAINED THE POTENTIAL RISKS AND BENEFITS OF THE MEDICAL USE OF MARIJUANA TO THE CUSTODIAL PARENT OR LEGAL GUARDIAN; AND

(2) THE CUSTODIAL PARENT OR LEGAL GUARDIAN AGREED TO:

(I) ALLOW THE MINOR'S MEDICAL USE OF MARIJUANA; AND

(II) CONTROL THE ACQUISITION OF THE MARIJUANA AND THE FREQUENCY OF THE MEDICAL USE OF MARIJUANA BY THE MINOR.

24-1804.

THIS SUBTITLE DOES NOT AUTHORIZE AN INDIVIDUAL TO ENGAGE IN OR PREVENT THE IMPOSITION OF CIVIL, CRIMINAL, OR OTHER PENALTIES FOR:

(1) PERFORMING A TASK UNDER THE INFLUENCE OF MARIJUANA WHEN DOING SO WOULD CONSTITUTE NEGLIGENCE OR PROFESSIONAL MALPRACTICE;

(2) OPERATING, NAVIGATING, OR BEING IN ACTUAL PHYSICAL CONTROL OF A MOTOR VEHICLE, AIRCRAFT, OR BOAT WHILE UNDER THE INFLUENCE OF MARIJUANA;

(3) SMOKING MARIJUANA IN A PUBLIC PLACE;

(4) SMOKING MARIJUANA IN A MOTOR VEHICLE; OR

(5) SMOKING MARIJUANA ON PRIVATE PROPERTY THAT:

(i) 1. IS RENTED FROM A LANDLORD; AND

2. IS SUBJECT TO A POLICY THAT PROHIBITS THE SMOKING OF MARIJUANA ON THE PROPERTY; OR

(ii) IS SUBJECT TO A POLICY THAT PROHIBITS THE SMOKING OF MARIJUANA ON THE PROPERTY OF AN ATTACHED DWELLING ADOPTED BY:

1. THE BOARD OF DIRECTORS OF THE COUNCIL OF UNIT OWNERS OF A CONDOMINIUM REGIME; OR

2. THE GOVERNING BODY OF A HOMEOWNER'S ASSOCIATION.

24-1805.

THIS SUBTITLE DOES NOT REQUIRE A PUBLIC OR PRIVATE HEALTH INSURER TO REIMBURSE AN INDIVIDUAL FOR THE COSTS ASSOCIATED WITH THE MEDICAL USE OF MARIJUANA.

24-1806.

| | |
|--|--|
| <u>“WRITTEN CERTIFICATION OF QUALIFYING PATIENT</u> | |
| <u>PHYSICIAN'S NAME:</u> | <u>MARYLAND BOARD OF PHYSICIANS NUMBER:</u> |
| <u>PHYSICIAN'S ADDRESS (STREET):</u> | |

| | |
|---|---------------------------------|
| <u>(CITY, STATE, ZIP CODE):</u> | <u>TELEPHONE:</u> |
| <u>PATIENT INFORMATION:</u> | |
| <u>PATIENT'S NAME:</u> | <u>PATIENT'S DATE OF BIRTH:</u> |
| <u>PATIENT'S ADDRESS IN PHYSICIAN'S RECORDS:</u> | |
| <u>EXPIRATION</u> <u>DATE OF CERTIFICATION (12 MONTHS FROM DATE OF PHYSICIAN'S</u> <u>SIGNATURE):</u> | |

BY SIGNING THIS FORM, I HEREBY CERTIFY THAT THE ABOVE-NAMED PATIENT IN POSSESSION OF THIS WRITTEN CERTIFICATION HAS BEEN DIAGNOSED WITH A DEBILITATING MEDICAL CONDITION, AS DEFINED IN § 24-1801 OF THE HEALTH – GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND THAT IS SEVERE AND RESISTANT TO CONVENTIONAL MEDICINE.

BY SIGNING THIS FORM, I FURTHER CERTIFY THAT I AM THE PHYSICIAN OF RECORD FOR THE ABOVE-NAMED PATIENT, AND THAT EVIDENCE OF MY ASSESSMENT, DIAGNOSIS, AND TREATMENT OF THE CONDITION FOR WHICH I AM PROVIDING THIS CERTIFICATION CAN BE FOUND IN THE PATIENT'S MEDICAL RECORDS WHICH I MAINTAIN. I FURTHER CERTIFY THAT I HAVE A BONA FIDE PHYSICIAN-PATIENT RELATIONSHIP WITH THIS PATIENT, AS DEFINED IN § 24-1801 OF THE HEALTH – GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

BASED ON MY ASSESSMENT, DIAGNOSIS, AND TREATMENT OF THIS PATIENT, IT IS MY CONCLUSION THAT THE ABOVE-NAMED PATIENT MAY BENEFIT FROM THE MEDICAL USE OF MARIJUANA AND HAS A QUALIFYING DEBILITATING MEDICAL CONDITION.

PRINTED NAME: _____

SIGNATURE: _____

DATE: _____

KEY DEFINITIONS

A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP IS DEFINED IN § 24–1801 OF THE HEALTH – GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND AS FOLLOWS:

“BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP” MEANS A RELATIONSHIP IN WHICH THE PHYSICIAN HAS ONGOING RESPONSIBILITY FOR THE ASSESSMENT, CARE, AND TREATMENT OF A PATIENT’S DEBILITATING MEDICAL CONDITION.

A DEBILITATING MEDICAL CONDITION IS DEFINED IN § 24–1801 OF THE HEALTH – GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS FOLLOWS:

“DEBILITATING MEDICAL CONDITION” MEANS A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION OR THE TREATMENT OF A CHRONIC OR DEBILITATING DISEASE OR MEDICAL CONDITION THAT PRODUCES ONE OR MORE OF THE FOLLOWING, AS DOCUMENTED BY A PHYSICIAN WITH WHOM THE PATIENT HAS A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP:

(1) CACHEXIA OR WASTING SYNDROME;

(2) SEVERE OR CHRONIC PAIN;

(3) SEVERE NAUSEA;

(4) SEIZURES;

(5) SEVERE AND PERSISTENT MUSCLE SPASMS; OR

(6) ANY OTHER CONDITION THAT IS SEVERE AND RESISTANT TO CONVENTIONAL MEDICINE.

A WRITTEN CERTIFICATION IS DEFINED IN § 24–1801 OF THE HEALTH – GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS FOLLOWS:

“WRITTEN CERTIFICATION” MEANS A DOCUMENT IN THE FORM OR SUBSTANTIALLY IN THE FORM PROVIDED IN § 24-1806 OF THE HEALTH – GENERAL ARTICLE, SIGNED AND DATED BY A PHYSICIAN, THAT IS VALID FOR 1 YEAR, AND THAT STATES THAT IN THE PHYSICIAN’S PROFESSIONAL OPINION A PATIENT IS LIKELY TO RECEIVE THERAPEUTIC OR PALLIATIVE BENEFIT FROM THE MEDICAL USE OF MARIJUANA TO TREAT OR ALLEVIATE THE PATIENT’S DEBILITATING MEDICAL CONDITION OR SYMPTOMS ASSOCIATED WITH THE DEBILITATING MEDICAL CONDITION. A WRITTEN CERTIFICATION MAY BE MADE ONLY IN THE COURSE OF A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP AFTER THE PHYSICIAN HAS COMPLETED A FULL ASSESSMENT OF THE QUALIFYING PATIENT’S MEDICAL HISTORY.” ”.

AMENDMENT NO. 5

On page 38, strike in their entirety lines 25 through 30, inclusive.

On page 39, in line 1, strike “4.” and substitute “2.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #34

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1331 – Delegates Carr, Beidle, Bobo, Cane, Frush, Hucker, Luedtke, Niemann, Reznik, S. Robinson, Stein, and Weir

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

HB1331/508670/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1331

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “provide, on written request,” and substitute “display or make available”; in line 5, after the semicolon insert “requiring a vendor to make available certain utility information in a certain manner; authorizing a vendor to provide to prospective purchasers a certain home energy rating score;”; and strike beginning with “establishing” in line 9 down through “date;” in line 12 and substitute “providing that the failure of a seller to provide certain information to the purchaser does not give the purchaser the right to rescind a contract of sale based on the failure of the seller to comply with this Act;”.

AMENDMENT NO. 2

On page 2, in line 13, after “UNITS” insert “**IF THE OWNER OF THE PROPERTY HAS OWNED AND RESIDED AT THE PROPERTY FOR AT LEAST 12 MONTHS BEFORE THE PROPERTY IS FIRST MARKETED FOR SALE BY THE OWNER**”.

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 8 on page 3 down through line 19 on page 4 and substitute:

“(B) (1) AS PROVIDED IN THIS SUBSECTION, A VENDOR OF SINGLE FAMILY RESIDENTIAL REAL PROPERTY SHALL DISPLAY OR MAKE AVAILABLE TO PROSPECTIVE PURCHASERS AT THE LOCATION OF THE RESIDENTIAL REAL PROPERTY COPIES OF ELECTRIC, GAS, AND HOME HEATING OIL BILLS, OR A DOCUMENT DETAILING THE MONTHLY ELECTRIC, GAS, AND HOME HEATING OIL USAGE OF THE RESIDENTIAL PROPERTY, FOR THE 12-MONTH PERIOD BEFORE THE PROPERTY WAS FIRST MARKETED FOR SALE.

(2) THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE:

(I) DISPLAYED OR MADE AVAILABLE DURING ANY SCHEDULED PERIOD OF TIME WHEN THE RESIDENTIAL PROPERTY IS HELD OPEN FOR PUBLIC VIEWING OR FOR VIEWING BY AN INDIVIDUAL PROSPECTIVE PURCHASER; AND

(II) INCLUDED IN OR WITH ANY DOCUMENTS THAT INCLUDE DESCRIPTIONS OF THE RESIDENTIAL PROPERTY AND ARE MADE AVAILABLE TO A PROSPECTIVE PURCHASER AT THE LOCATION OF THE RESIDENTIAL PROPERTY.

(3) IN ADDITION TO THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A VENDOR MAY PROVIDE TO PROSPECTIVE PURCHASERS A HOME ENERGY RATING (HERS INDEX), A U.S. DEPARTMENT OF ENERGY HOME ENERGY SCORE, OR EQUIVALENT SCORE OBTAINED DURING THE 12-MONTH PERIOD BEFORE THE PROPERTY WAS FIRST MARKETING FOR SALE.

(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO LIMIT THE VENDOR FROM MAKING UTILITY INFORMATION AVAILABLE TO PROSPECTIVE PURCHASERS IN A SALE LISTING ON THE MULTIPLE LISTING SERVICE.

(5) ANY INFORMATION PROVIDED UNDER THIS SUBSECTION IS PROVIDED WITHOUT WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING AS TO THE ACCURACY, COMPLETENESS, OR SUITABILITY OF THE INFORMATION.

(C) THE FAILURE OF A SELLER TO PROVIDE A PURCHASER WITH THE INFORMATION LISTED UNDER SUBSECTION (B) OF THIS SECTION DOES NOT GIVE THE PURCHASER THE RIGHT TO RESCIND A CONTRACT OF SALE BASED ON THE FAILURE OF THE SELLER TO COMPLY WITH THIS SECTION.”;

and in lines 20 and 24, strike “3.” and “4.”, respectively, and substitute “2.” and “3.”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #39

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 999 – Senator Muse

AN ACT concerning

Labor and Employment – Abusive Work Environments – Employee Remedies**SB0999/347174/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 999

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Environments” insert “in State Agencies”; in the same line, strike “Employee Remedies” and substitute “Workgroup Study”; strike beginning with “prohibiting” in line 3 down through “terms;” in line 21 and substitute “requiring the Joint Committee on Fair Practices and State Personnel to convene a certain workgroup to study and make recommendations regarding certain matters; providing for the composition and staffing of the workgroup; prohibiting a member of the workgroup from receiving certain compensation or reimbursement of expenses; requiring the Joint Committee to report the findings and recommendations of the workgroup to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act;”; in line 22, after “to” insert “a workgroup to study”; in the same line, after “environments” insert “in State agencies”; and strike in their entirety lines 23 through 28, inclusive.

AMENDMENT NO. 2

On page 2, in line 26, strike “the Laws of Maryland read as follows”; and after line 26, insert:

“(a) The Joint Committee on Fair Practices and State Personnel Oversight shall convene a workgroup to:

(1) determine the extent to which abusive work environments exist in State agencies;

(2) determine the extent to which existing remedies address abuse suffered by State employees due to abusive work environments; and

(3) make recommendations, including draft legislation, regarding methods of strengthening existing remedies and any new remedies that are needed to address abuse suffered by State employees due to abusive work environments.

(b) The workgroup shall consist of:

(1) the Secretary of Budget and Management, or the Secretary's designee; and

(2) the following members appointed by the co-chairs of the Joint Committee appointed under § 2–10A–08 of the State Government Article:

(i) three State employees who are not supervisors of which:

1. one shall have been employed by the State for less than 5 years;

2. one shall have been employed by the State for at least 5 years but no more than 10 years; and

3. one shall have been employed by the State for more than 10 years;

(ii) three State employees who have held supervisory positions, of which:

1. one shall have held a supervisory position for less than 5 years;

2. one shall have held a supervisory position for at least 5 years but no more than 10 years; and

3. one shall have held a supervisory position for more than 10 years;

(iii) a member of the Maryland State Bar who practices in the State and is knowledgeable about abusive work environments and existing remedies for abuse suffered due to an abusive work environment; and

(iv) three representatives of labor unions that represent State employees, each of whom represents a different union.

(c) The Department of Budget and Management shall provide staff for the workgroup.

(d) A member of the workgroup:

(1) may not receive compensation as a member of the workgroup; and

(2) is not entitled to reimbursement for expenses.

(e) On or before December 31, 2012, the Joint Committee on Fair Practices and State Personnel shall report the findings and recommendations of the workgroup to the Senate Finance Committee and the House Appropriations Committee in accordance with § 2-1246 of the State Government Article.”.

On pages 2 through 7, strike the lines beginning with line 27 on page 2 through line 7 on page 7, inclusive.

On page 7, in line 8, strike “3.” and substitute “2.”; in line 9, strike “October” and substitute “July”; and in the same line, after “2012.” insert “It shall remain effective for a period of 1 year and, at the end of June 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1030 – Senators Mathias, Colburn, Edwards, Glassman, Jones-Rodwell, Middleton, and Raskin

AN ACT concerning

**Small Business Development Center Network Fund – Minimum
Appropriation**

SB1030/537470/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1030

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Raskin” and substitute “Raskin, Klausmeier, Garagiola, Kittleman, and Pugh”.

AMENDMENT NO. 2

On page 2, in line 17, strike “\$1,600,000” and substitute “\$950,000”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #40

Senator Middleton, Chair, for the Committee on Finance creported favorably with amendments:

House Bill 457 – ~~Delegate Howard~~ Delegates Howard, A. Miller, and Stukes

AN ACT concerning

Transportation – Highway Construction Training and Supportive Services

HB0457/287479/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 457

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Highway” insert “or Capital Transit”; in line 3, strike “requiring” and substitute “authorizing”; in the same line, strike “State Highway Administration” and substitute “Maryland Department of Transportation”; in lines 5

and 9, in each instance, after “highway” insert “or capital transit”; in line 6, after “programs;” insert “requiring the Department to administer certain highway construction and supportive services programs in collaboration with the Governor’s Workforce Investment Board for a certain purpose;”; in the same line, strike “Administration” and substitute “Department and the Board”; in line 8, strike “a”; and in the same line, strike “term” and substitute “terms”.

AMENDMENT NO. 2

On page 2, strike beginning with “IN” in line 9 down through “HIGHWAYS” in line 12 and substitute:

“(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

“(2) “BOARD” MEANS THE GOVERNOR’S WORKFORCE INVESTMENT BOARD.

“(3) “HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION” MEANS ACTUAL CONSTRUCTION, PRELIMINARY ENGINEERING, PLANNING AND RESEARCH, OR ANY OTHER WORK OR ACTIVITY TO IMPLEMENT FEDERAL LAWS FOR THE ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS OR CAPITAL TRANSIT PROJECTS.

“(4) “WORKFORCE INVESTMENT AREA” HAS THE MEANING STATED IN § 11-503(N) OF THE LABOR AND EMPLOYMENT ARTICLE”;

in line 13, strike “ADMINISTRATION SHALL” and substitute “DEPARTMENT MAY”; in line 15, after “HIGHWAY” insert “OR CAPITAL TRANSIT”; after line 17, insert:

“(C) THE DEPARTMENT SHALL ADMINISTER THE TRAINING PROGRAMS UNDER SUBSECTION (B) OF THIS SECTION IN COLLABORATION WITH THE BOARD TO ENSURE THAT HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION TRAINING AND SUPPORTIVE SERVICES ARE PROVIDED TO THE GREATEST EXTENT FEASIBLE TO INDIVIDUALS IN EACH RELEVANT WORKFORCE INVESTMENT AREA.”;

in line 18, strike “(C)” and substitute “(D)”; in the same line, strike “ADMINISTRATION” and substitute “DEPARTMENT AND BOARD”; in line 22, strike “ADMINISTRATION’S” and substitute “DEPARTMENT’S AND BOARD’S”; in line 23, strike “SUBSECTION (B)” and substitute “SUBSECTIONS (B) AND (C)”; in line 26, after “HIGHWAY” insert “OR CAPITAL TRANSIT”; in line 28, strike “ADMINISTRATION HAS” and substitute “DEPARTMENT AND BOARD HAVE”; in the same line, after “ADMINISTERED” insert “IN EACH WORKFORCE INVESTMENT AREA, INCLUDING A DESCRIPTION OF:”

1. ANY ENTITIES, INSTITUTIONS, OR ORGANIZATIONS USED BY THE DEPARTMENT AND BOARD TO PROVIDE THE TRAINING AND SERVICES; AND

2. THE INDIVIDUALS AND ORGANIZATIONS THAT HAVE RECEIVED TRAINING AND SERVICES”;

in line 29, after “PROGRAMS” insert “IN EACH WORKFORCE INVESTMENT AREA”; and strike beginning with “BY” in line 32 down through “ADMINISTERING” in line 33 and substitute “IN EACH WORKFORCE INVESTMENT AREA TO CONDUCT AND ADMINISTER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 770 – Delegate Davis

~~EMERGENCY BILL~~

AN ACT concerning

**Public Service Commission – Electric Companies – New Generation Facilities
and Customer Credits**

HB0770/537478/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 770

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Credits” insert “and the Electric Universal Service Program”; in line 9, after the first “the” insert “Public Service”; strike beginning with “party” in line 9 down through “manner” in line 11 and substitute “Commission shall consider the adequacy of the current funding of the electric universal service program in providing certain assistance; providing that certain funds deposited into the electric universal service fund are in addition to, and may not substitute for, certain funds”; and in line 14, after “credits” insert “and the Electric Universal Service Program”.

AMENDMENT NO. 2

On pages 3 and 4, strike beginning with “PARTY” in line 35 on page 3 down through “COMMISSION.” in line 4 on page 4 and substitute “COMMISSION SHALL CONSIDER THE ADEQUACY OF THE CURRENT FUNDING OF THE ELECTRIC UNIVERSAL SERVICE PROGRAM IN PROVIDING ASSISTANCE TO CUSTOMERS WHO QUALIFY UNDER THIS SECTION.”.

On page 4, in line 5, strike “THE” and substitute “ANY”; and in line 6, strike “UNDER THIS SECTION” and substitute “AS A RESULT OF AN AGREEMENT WITH THE COMMISSION IN CONNECTION WITH A MERGER OR ACQUISITION OF AN ELECTRIC COMPANY OR AN AFFILIATE OF AN ELECTRIC COMPANY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 771 – Delegate Davis

AN ACT concerning

**Electric Companies and Gas Companies – Customer Accounts and
Information**

HB0771/177070/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 771
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Companies –” insert “Residential”.

On page 2, in line 16, after the second “cooperative” insert “or certain distribution utilities”; and in line 19, after “and” insert “residential”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 30 on page 3 through line 10 on page 4, inclusive.

On page 4, in line 11, after “TO” insert “:

(1)”;

in line 12, after “COOPERATIVE” insert: “**;** **OR**

**(2) A DISTRIBUTION UTILITY THAT DOES NOT HAVE A GAS
TRANSPORTATION PROGRAM SUBJECT TO COMPETITIVE GAS SUPPLY
REGULATIONS ADOPTED BY THE COMMISSION**”;

and in line 17, strike “AND SMALL COMMERCIAL CUSTOMER”.

On page 6, in lines 19, 22, 23, and 26, in each instance, strike “COMMERCIAL”.

On page 7, in line 18, strike “RESIDENTIAL CUSTOMER OR SMALL COMMERCIAL”.

On page 8, in lines 14 and 15 and 17, in each instance, strike “AND SMALL COMMERCIAL CUSTOMERS”.

The preceding 2 amendments were read and adopted.

Senator Pugh moved, duly seconded, to make the Bill and Report a Special Order for April 9, 2012.

The motion was rejected.

Favorable report, as amended, failed by a roll call vote as follows:

Affirmative – 15 Negative – 30 (See Roll Call No. 1225)

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1254 – Delegates Vaughn, Carr, Frick, Howard, McDonough, Minnick, Mitchell, Oaks, Reznik, Sophocleus, Stukes, Summers, and F. Turner

AN ACT concerning

**Small Business Development Center Network Fund – Minimum
Appropriation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 496 SPONSOR: Senator Gladden

**SUBJECT: Crim Procedure – Unexecuted Warrant, Summons, or Other Crim
Process – Invalidation and Destruction**

THIRD READING CALENDAR HOUSE NO. 15 SENATE NO. 38

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0496/472016/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0496/783820/1) be adopted.

SB0496/783820/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 496

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “authorizing the State’s Attorney to petition a certain administrative judge for the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process;”; and in line 14, after “warrant” insert “, summons,”.

AMENDMENT NO. 2

On page 2, strike beginning with “AN” in line 8 down through “PROCESS” in line 16 and substitute “A WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS FOR A MISDEMEANOR OFFENSE IN THE POSSESSION OF THE LAW ENFORCEMENT AGENCY INVALIDATED AND DESTROYED DUE TO THE AGE OF THE UNEXECUTED WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS AND UNAVAILABILITY OF THE DEFENDANT, OR OTHER SPECIAL CIRCUMSTANCES, IF:

(1) THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS WAS ISSUED FOR THE ARREST OF THE DEFENDANT IN ORDER THAT THE DEFENDANT MIGHT STAND FOR TRIAL AND HAS REMAINED UNEXECUTED FOR AT LEAST 5 YEARS;

(2) THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS WAS ISSUED FOR THE FAILURE OF THE DEFENDANT TO MAKE A DEFERRED PAYMENT OF A FINE OR COSTS AS ORDERED BY THE COURT AND HAS REMAINED UNEXECUTED FOR AT LEAST 5 YEARS;

(3) THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS WAS ISSUED FOR A VIOLATION OF PROBATION AND HAS REMAINED UNEXECUTED FOR AT LEAST 5 YEARS;

(4) EXCEPT AS PROVIDED IN ITEM (5) OF THIS SUBSECTION, THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS WAS ISSUED FOR THE ARREST OF THE DEFENDANT FOR THE FAILURE OF THE DEFENDANT TO APPEAR

AS DIRECTED BY THE COURT AND HAS REMAINED UNEXECUTED FOR AT LEAST 5 YEARS; OR

(5) THE DEFENDANT WAS RELEASED ON BAIL POSTED BY A PRIVATE SURETY, AND THE WARRANT WAS ISSUED FOR THE ARREST OF THE DEFENDANT FOR THE FAILURE OF THE DEFENDANT TO APPEAR AS DIRECTED BY THE COURT AND HAS REMAINED UNEXECUTED FOR AT LEAST 10 YEARS.

(B) (1) ON RECEIPT OF A REQUEST MADE UNDER SUBSECTION (A)(1), (A)(2), (A)(3), OR (A)(4) OF THIS SECTION, THE STATE’S ATTORNEY:

(I) IF THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS HAS REMAINED UNEXECUTED FOR MORE THAN 5 YEARS BUT LESS THAN 7 YEARS, MAY PETITION THE ADMINISTRATIVE JUDGE OF THE DISTRICT FOR THE INVALIDATION AND DESTRUCTION OF THE UNEXECUTED WARRANT, SUMMONS, OR OTHER PROCESS; AND

(II) IF THE WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS HAS REMAINED UNEXECUTED FOR AT LEAST 7 YEARS, SHALL PETITION THE ADMINISTRATIVE JUDGE OF THE DISTRICT FOR THE INVALIDATION AND DESTRUCTION OF THE UNEXECUTED WARRANT, SUMMONS, OR OTHER PROCESS.

(2) ON RECEIPT OF A REQUEST MADE UNDER SUBSECTION (A)(5) OF THIS SECTION, THE STATE’S ATTORNEY SHALL PETITION THE ADMINISTRATIVE JUDGE OF THE DISTRICT FOR THE INVALIDATION AND DESTRUCTION OF THE UNEXECUTED WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS”.

Senate Members:

House Members:

Chair, Lisa A. Gladden

Chair, Joseph F. Vallario, Jr.

Victor R. Ramirez

Jill P. Carter

Christopher B. Shank

Michael D. Smigiel, Sr.

Conference Committee Report read and adopted by a roll call vote as follows:

Affirmative – 39 Negative – 6 (See Roll Call No. 1227)

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 40 Negative – 6 (See Roll Call No. 1228)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 319 – Delegates Proctor, Anderson, Aumann, Bates, Beidle, Cane, Cluster, DeBoy, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Hershey, Howard, Hubbard, Hucker, Impallaria, Krebs, Love, Malone, McDonough, McHale, O'Donnell, Ross, Vallario, and Wood

AN ACT concerning

Sales and Use Tax – Exemption – Veterans' Organizations

FOR the purpose of repealing a certain termination provision applicable to a sales and use tax exemption for sales to certain veterans' organizations; and generally relating to a sales and use tax exemption for certain sales to certain veterans' organizations.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–204(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Chapter 217 of the Acts of the General Assembly of 2006, as amended by
Chapter 506 of the Acts of the General Assembly of 2009
Section 2

BY repealing and reenacting, with amendments,
Chapter 218 of the Acts of the General Assembly of 2006, as amended by
Chapter 506 of the Acts of the General Assembly of 2009
Section 2

Read the first time and referred to the Committee on Rules.

House Bill 342 – Delegates Smigiel, Hershey, and Jacobs

AN ACT concerning

**Education – Regional School of the Arts for Cecil, Kent, and Queen Anne’s
Counties – Feasibility Study**

FOR the purpose of requiring the State Department of Education, jointly with certain local boards of education, to study the feasibility of establishing a regional school of the arts for certain counties; requiring the State Superintendent of Schools to submit a report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study on a regional school of the arts.

Read the first time and referred to the Committee on Rules.

House Bill 444 – The Speaker (By Request – Administration) and Delegates Afzali, Bohanan, Cane, Clagett, Conway, Glass, Hershey, Hough, Jacobs, Jameson, A. Kelly, Krebs, Lafferty, Love, Luedtke, McComas, Murphy, Otto, Parrott, Ready, ~~and Schulz~~ Schulz, Boteler, Cardin, Frick, George, Howard, Ivey, Kaiser, A. Miller, Myers, Ross, Serafini, Stukes, Summers, F. Turner, and Walker

AN ACT concerning

Family Farm Preservation Act of 2012

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate the value of certain agricultural property; limiting the Maryland estate tax imposed on certain agricultural property above a certain amount; defining certain terms; providing for the recapture of certain Maryland estate tax under certain circumstances; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1019 – Delegates Murphy, Barve, Branch, Carr, Frick, Gilchrist, Howard, Hubbard, Ivey, Kipke, Luedtke, Rosenberg, Ross, Stukes, Summers, ~~and Walker~~ Walker, and Cardin

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

FOR the purpose of requiring a county board of education, on or before a certain date, to adopt certain written policies relating to the procurement of green product cleaning supplies subject to certain exceptions; requiring certain county boards, on or before a certain date, to provide certain notice to the State Department of Education under certain circumstances; and generally relating to the establishment of written policies relating to the procurement of green product cleaning supplies by county boards of education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–112
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1107 – Delegates Olszewski, Arora, Beidle, Bohanan, DeBoy, James, McDonough, Weir, and Wood

AN ACT concerning

Job Creation Tax Credit – ~~Amount of Credit and~~ Termination Provisions

FOR the purpose of altering the ~~determination of the amount~~ termination provisions of a certain job creation tax credit earned by a qualified business entity under certain circumstances; ~~altering the termination provisions for the tax credit, providing for the application of this Act,~~ and generally relating to the job creation tax credit program.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 6–301(e) and 6–304(b)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section ~~6–304(b)~~ and 6–309
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1219 – Delegates Boteler, Branch, Cluster, George, Glass, Hixson, Hough, Ivey, Kach, McDermott, A. Miller, Myers, Norman, Stukes, Summers, F. Turner, Walker, and Weir

EMERGENCY BILL

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – ~~Local Approval and Reporting Requirements~~ Development or Review and Approval

FOR the purpose of ~~authorizing a county board of education to procure certain online courses and services that the county board has approved as being high quality and in alignment with certain State standards; requiring a certain county board that has approved an online course to submit a certain report to the State Department of Education~~ authorizing certain county boards of education to request that the State Department of Education develop or review and approve certain online courses and services; requiring the Department to determine within a certain period of time whether a certain delegation will be made; requiring the Department to develop or review and approve certain courses and services within a certain period of time under certain circumstances; authorizing the Department to delegate certain authority to certain county boards under certain circumstances; authorizing certain county boards to set certain fees under certain circumstances; requiring certain county boards to remit certain fees to the Department under certain circumstances; requiring certain county boards to request certain approval from the Department under certain circumstances; requiring the Department to approve or deny certain requests within a certain period of time; authorizing the State Board of Education to set reasonable fees for the costs incurred by the Department for the development of online courses or the review and approval of online courses and services; requiring the Department to ensure that certain courses and services require certain access for certain students; making stylistic changes; making this Act an emergency measure; and generally relating to the approval of and the reporting requirements for online courses ~~by county boards of education.~~

BY repealing and reenacting, with amendments,

Article – Education

Section 7–1002

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**House Bill 1261 – Baltimore City Delegation and Delegates Branch,
Clippinger, Conaway, Glenn, Harrison, Haynes, McHale, Mitchell, Oaks,
B. Robinson, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Representation of Child Support Enforcement
Administration – Transfer of Employees**

FOR the purpose of requiring that, if the Office of the Attorney General ~~hires~~ appoints certain individuals who were employees of the Office of the State's Attorney for Baltimore City who were providing certain services for the Child Support Enforcement Administration during a certain period and continue providing certain services on or after a certain date, the employees shall be placed in certain positions in the State Personnel Management System and receive certain employment rights, service credit for certain purposes, certain annual or sick leave, and certain rights as a member of the Employees' Pension System of the State of Maryland and for determining eligibility for certain other benefits; requiring certain employees who transfer service credit from the Employees' Retirement System of the City of Baltimore to be subject to a certain pension selection or pension benefit; providing certain exceptions for certain employees who retire or do not transfer service credit from the Employees' Retirement System of the City of Baltimore; requiring Baltimore City, under certain circumstances, to make certain payments to certain employees and to transfer certain ~~pension~~ employer contributions and interest in a certain manner; declaring certain findings and the intent of the General Assembly; and generally relating to the transfer of certain employees from the Office of the State's Attorney for Baltimore City to ~~the Office of the Attorney General~~ position identification numbers in the Department of Human Resources.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 10–115(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1457 – Charles County Delegation

AN ACT concerning

Charles County – Correctional Officers' Bill of Rights Act

FOR the purpose of providing for certain rights of a correctional officer in Charles County relating to employment, investigation, and discipline under certain circumstances; providing for the procedures for the investigation or

interrogation of a correctional officer; establishing a certain limitation on administrative charges against a correctional officer in Charles County; providing for procedures for a hearing board for an investigation against a correctional officer in Charles County; providing for expungement of a record of a formal complaint against a correctional officer in Charles County under certain circumstances; providing for certain disciplinary actions against a correctional officer in Charles County under certain circumstances; providing that this Act supersedes inconsistent provisions of any other State or local law that conflicts with this Act to the extent of the conflict; providing for the effect of this Act in relation to the duties of the Sheriff of Charles County; establishing that the Assistant Sheriff of Charles County shall resolve any dispute concerning the application of this Act; providing for the scope of this Act; defining certain terms; and generally relating to rights of a correctional officer in Charles County.

BY adding to

Article – Correctional Services

Section 11–1101 through 11–1111 to be under the new subtitle “Subtitle 11.
Charles County Correctional Officers’ Bill of Rights”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

CONCURRENCE CALENDAR #27

AMENDED IN THE HOUSE

Senate Bill 401 – Senators Pugh, Gladden, and Ramirez

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

Senator Frosh moved that the Senate not concur in the House amendments.

SB0401/230010/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 401

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “altering” in line 7 down through “circumstances;” in line 9; strike line 14 in its entirety; and in line 17, after “period;” insert “requiring the Motor Vehicle Administration to establish and maintain a database containing certain addresses for certain insurers and make the database available to any tower free of charge;”.

AMENDMENT NO. 2

On page 18, strike in their entirety lines 11 through 32, inclusive, and substitute:

“(A) A person who undertakes the towing or removal of a vehicle from a parking lot:

(1) [May] IN BALTIMORE CITY AND BALTIMORE COUNTY, MAY not charge the owner of the vehicle or the owner’s agent:

(i) More than twice the amount of the total fees normally charged or authorized by the political subdivision for the impound towing of vehicles; and

(ii) Except as provided in § 16–207(f)(1) of the Commercial Law Article, more than \$8 per day for storage;”.

AMENDMENT NO. 3

On page 19, in line 12, strike “72 HOURS” and substitute “7 DAYS”; in line 14, strike “SECTION” and substitute “SUBSECTION”; strike in their entirety lines 15 through 17, inclusive; and in lines 18 and 26, strike “(5)” and “(6)”, respectively, and substitute “(4)” and “(5)”, respectively.

AMENDMENT NO. 4

On page 20, in lines 1, 5, and 7, strike “(7)”, “(8)”, and “(9)”, respectively, and substitute “(6)”, “(7)”, and “(8)”, respectively; and after line 10, insert:

“(B) THE ADMINISTRATION SHALL:

(1) ESTABLISH AND MAINTAIN A DATABASE CONTAINING THE PROPER ADDRESS FOR PROVIDING NOTICE TO AN INSURER UNDER SUBSECTION

(A)(3) OF THIS SECTION FOR EACH INSURER AUTHORIZED TO WRITE A VEHICLE LIABILITY INSURANCE POLICY IN THE STATE; AND

(2) MAKE THE DATABASE AVAILABLE TO ANY TOWER FREE OF CHARGE.”.

The preceding 4 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0401**

SPONSOR: Sen Pugh, et al

SUBJECT: Motor Vehicles – Towing Practices and Procedures

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Raskin, Chairman

Senator Getty

Senator Brochin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #25

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 882 – Senator Jones–Rodwell

AN ACT concerning

Local Government – Investment in Our Youth (IO–YOUth) Programs

SB0882/319631/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 882

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Local Government” and substitute “Baltimore City”; in the same line, strike “Programs” and substitute “Pilot Program”; and strike beginning with “authorizing” in line 3 down through “terms;” in line 26 and substitute “authorizing the Mayor and City Council of Baltimore to establish an Investment in Our Youth (IO–YOUth) Pilot Program; providing that the Program must be established as a qualified organization eligible to receive certain contributions under a certain provision of federal law; specifying the purpose of the Program; requiring the Program to provide summer jobs for certain youths by hiring them to work for the City of Baltimore or by providing grants to certain nonprofit organizations that will provide summer jobs; requiring the Mayor and City Council of Baltimore to establish a committee to carry out the Program; requiring the Mayor and City Council of Baltimore to establish a certain procedure for the disposition of certain funds remaining in the program under certain circumstances; specifying that a nonprofit organization must meet certain requirements to be eligible for a grant from a Program; prohibiting a nonprofit organization that receives a grant from a Program from using the grant for certain purposes; requiring the Mayor and City Council of Baltimore to establish a special fund that is to be used to fund the Program; specifying that the Program is to be funded by certain funds and donations; providing that certain funds may be used only for funding the Program; authorizing an employer to make a deduction from the wage of an employee, under certain circumstances, for the benefit of a Program; requiring that a certain written request include certain information; requiring certain employers to distribute to the City of Baltimore certain funds at certain times; requiring certain employers to report certain information to the City of Baltimore at certain times; requiring the Mayor and City Council of Baltimore to pay the funds into a certain special fund; specifying the amount of funds distributed to the City of Baltimore under a certain provision of this Act; authorizing the City of Baltimore to receive certain direct donations for the benefit of a Program; requiring the City of Baltimore to provide certain receipts to certain persons; providing for the”

construction of a certain provision of this Act; defining certain terms; providing for the termination of this Act;”.

On pages 1 and 2, strike in their entirety the lines beginning with line 28 on page 1 through line 19 on page 2, inclusive, and substitute:

“BY adding to

The Charter of Baltimore City

Article II – General Powers

Section (67)

(2007 Replacement Volume, as amended)”.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 22 on page 2 through line 10 on page 6, inclusive, and substitute:

“The Charter of Baltimore City

Article II – General Powers

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws;

(67)

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “EMPLOYER” HAS THE MEANING STATED IN § 3401 OF THE INTERNAL REVENUE CODE.

(II) “EMPLOYER” INCLUDES:

1. THE STATE AND ITS UNITS;

2. A COUNTY AND ITS UNITS; AND

3. A MUNICIPAL GOVERNMENT IN THE STATE.

(3) “NONPROFIT ORGANIZATION” MEANS AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501 OF THE INTERNAL REVENUE CODE.

(4) “PROGRAM” MEANS THE INVESTMENT IN OUR YOUTH (IO-YOUTH) PILOT PROGRAM.

(5) “SUMMER” MEANS THE PERIOD FROM JUNE 1 TO SEPTEMBER 30, INCLUSIVE, OF EACH YEAR.

(B) (1) THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY ESTABLISH AN INVESTMENT IN OUR YOUTH (IO-YOUTH) PILOT PROGRAM.

(2) THE PROGRAM SHALL BE ESTABLISHED AS A QUALIFIED ORGANIZATION ELIGIBLE TO RECEIVE TAX-DEDUCTIBLE CHARITABLE CONTRIBUTIONS UNDER § 170(C) OF THE INTERNAL REVENUE CODE.

(3) THE PURPOSE OF THE PROGRAM IS TO PROVIDE SUMMER JOBS FOR YOUTHS WHO ARE AT LEAST 14 YEARS OLD AND NOT MORE THAN 18 YEARS OLD.

(4) THE PROGRAM SHALL PROVIDE SUMMER JOBS FOR YOUTHS BY:

(I) HIRING YOUTHS TO WORK DURING THE SUMMER FOR THE CITY OF BALTIMORE; OR

(II) PROVIDING GRANTS TO NONPROFIT ORGANIZATIONS THAT WILL PROVIDE SUMMER JOBS FOR YOUTHS.

(5) THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL ESTABLISH A COMMITTEE TO CARRY OUT THE PROGRAM.

(6) THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL ESTABLISH A PROCEDURE FOR THE DISPOSITION OF ANY FUNDS REMAINING IN THE PROGRAM IN THE EVENT THAT THE PROGRAM IS TERMINATED.

(7) TO BE ELIGIBLE FOR A GRANT FROM THE PROGRAM, A NONPROFIT ORGANIZATION SHALL:

(I) OPERATE WITHIN THE CITY OF BALTIMORE; AND

(II) MEET ANY OTHER REQUIREMENT ESTABLISHED UNDER THE PROGRAM.

(8) A NONPROFIT ORGANIZATION THAT RECEIVES A GRANT FROM THE PROGRAM MAY NOT USE THE GRANT TO:

(I) EMPLOY YOUTHS WHO DO NOT RESIDE IN THE CITY OF BALTIMORE; OR

(II) PROVIDE JOBS AT SITES THAT ARE LOCATED OUTSIDE OF THE CITY OF BALTIMORE.

(C) (1) (I) NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO REQUIRE AN EMPLOYER TO MAKE A DEDUCTION FROM THE WAGE OF AN EMPLOYEE.

(II) ON WRITTEN REQUEST OF AN EMPLOYEE, AN EMPLOYER MAY MAKE A DEDUCTION FROM THE WAGE OF AN EMPLOYEE FOR THE BENEFIT OF THE PROGRAM.

(III) THE WRITTEN REQUEST PROVIDED BY AN EMPLOYEE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL INCLUDE THE AMOUNT OF THE DEDUCTION.

(2) (I) AN EMPLOYER SHALL:

1. DISTRIBUTE QUARTERLY TO THE CITY OF BALTIMORE ANY FUNDS DEDUCTED BY THE EMPLOYER FROM THE WAGE OF AN EMPLOYEE; AND

2. REPORT QUARTERLY TO THE CITY OF BALTIMORE THE NAME, ADDRESS, AND OTHER INFORMATION PROVIDED BY THE EMPLOYEE UNDER SUBSECTION (C)(1) OF THIS SECTION.

(II) THE AMOUNT OF FUNDS DISTRIBUTED TO THE CITY OF BALTIMORE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL EQUAL THE AMOUNT OF FUNDS DEDUCTED FROM THE WAGES OF EMPLOYEES WHO HAVE SUBMITTED A WRITTEN REQUEST AS PROVIDED IN SUBSECTION (C)(1) OF THIS SECTION.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL PAY THE FUNDS INTO THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION.

(II) IF THE PROGRAM HAS ENDED, THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL FOLLOW THE PROCEDURE FOR THE DISPOSITION OF FUNDS REMAINING IN THE PROGRAM AS PROVIDED UNDER SUBSECTION (A)(6) OF THIS SECTION.

(4) THE CITY OF BALTIMORE MAY RECEIVE A DIRECT DONATION FROM A PERSON FOR THE BENEFIT OF THE PROGRAM.

(5) (I) THE CITY OF BALTIMORE SHALL PROVIDE A RECEIPT TO:

1. EACH EMPLOYEE WHOSE INFORMATION WAS REPORTED TO THE CITY OF BALTIMORE BY THE EMPLOYER UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

2. EACH PERSON FROM WHICH THE CITY OF BALTIMORE RECEIVES A DIRECT DONATION UNDER PARAGRAPH (4) OF THIS SUBSECTION.

(II) A RECEIPT PROVIDED BY THE CITY OF BALTIMORE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE A STATEMENT THAT THE AMOUNT OF THE DEDUCTION FROM THE EMPLOYEE’S WAGES OR THE AMOUNT OF THE DONATION IS TAX-DEDUCTIBLE UNDER § 170(C) OF THE INTERNAL REVENUE CODE.

(D) (1) THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL ESTABLISH A SPECIAL FUND TO BE USED TO FUND THE PROGRAM.

(2) THE PROGRAM SHALL BE FUNDED BY:

(I) FUNDS DISTRIBUTED TO THE CITY OF BALTIMORE UNDER SUBSECTION (C) OF THIS SECTION;

(II) FUNDS APPROPRIATED TO THE PROGRAM BY THE MAYOR AND CITY COUNCIL OF BALTIMORE; AND

(III) DONATIONS RECEIVED BY THE CITY OF BALTIMORE TO BE USED FOR THE PROGRAM.

(3) FUNDS IN THE SPECIAL FUND MAY BE USED ONLY FOR FUNDING THE PROGRAM.”.

On page 6, in line 11, strike “3.” and substitute “2.”; and in line 12, after the period insert “It shall remain effective for a period of 3 years and, at the end of September 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 215 – Delegates Stukes, Anderson, Boteler, Braveboy, Burns, Carter, Clippinger, Conaway, Glenn, Gutierrez, Hammen, Harrison, Haynes, Howard, McHale, Mitchell, Tarrant, Walker, ~~and Washington~~ Washington, and O'Donnell

AN ACT concerning

Local Government – Investment in Our Youth (IO-YOUth) Programs

HB0215/939833/3

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 215

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Local Government” and substitute “Baltimore City”; in the same line, strike “Programs” and substitute “Pilot Program”; in line 3, strike “a county” and substitute “the Mayor and City Council of Baltimore”; in line 4, after “(IO-YOUth)” insert “Pilot”; in the same line, strike the first “a” and substitute “the”; in line 6, strike “a” and substitute “the”; in lines 7 and 8, strike “a certain county” and substitute “the City of Baltimore”; in line 9, strike “a county that establishes a Program” and substitute “the Mayor and City Council of Baltimore”; in line 10, after “Program,” insert “requiring the Mayor and City Council of Baltimore to establish a certain procedure for the disposition of certain funds remaining in the Program under certain circumstances;”; in lines 13 and 14, strike “a county that establishes a Program” and substitute “the Mayor and City Council of Baltimore”; in line 21, strike “certain counties” and substitute “the City of Baltimore”; and in line 22, strike “certain counties” and substitute “the City of Baltimore”.

On page 2, in line 1, strike “a county that receives certain funds” and substitute “the Mayor and City Council of Baltimore”; strike beginning with “, except” in line 2 down through “circumstances” in line 4; in line 5, strike “a county” and substitute “the City of Baltimore”; in line 10, strike “a county” and substitute “the City of Baltimore”; in line 11, strike “certain counties” and substitute “the City of Baltimore”; in line 14, after “terms,” insert “providing for the termination of this Act;”; and strike in their entirety lines 16 through 21, inclusive, and substitute:

“BY adding to

The Charter of Baltimore City

Article II – General Powers

Section (67)

(2007 Replacement Volume, as amended)”.

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 39 on page 2 through line 4 on page 7, inclusive, and substitute:

“The Charter of Baltimore City

Article II – General Powers

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

(67)

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “EMPLOYER” HAS THE MEANING STATED IN § 3401 OF THE INTERNAL REVENUE CODE.

(II) “EMPLOYER” INCLUDES:

1. THE STATE AND ITS UNITS;
2. A COUNTY AND ITS UNITS; AND
3. A MUNICIPAL GOVERNMENT IN THE STATE.

(3) "NONPROFIT ORGANIZATION" MEANS AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501 OF THE INTERNAL REVENUE CODE.

(4) "PROGRAM" MEANS THE INVESTMENT IN OUR YOUTH (IO-YOUTH) PILOT PROGRAM.

(5) "SUMMER" MEANS THE PERIOD FROM JUNE 1 TO SEPTEMBER 30, INCLUSIVE, OF EACH YEAR.

(B) (1) THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY ESTABLISH AN INVESTMENT IN OUR YOUTH (IO-YOUTH) PILOT PROGRAM.

(2) THE PROGRAM SHALL BE ESTABLISHED AS A QUALIFIED ORGANIZATION ELIGIBLE TO RECEIVE TAX-DEDUCTIBLE CHARITABLE CONTRIBUTIONS UNDER § 170(C) OF THE INTERNAL REVENUE CODE.

(3) THE PURPOSE OF THE PROGRAM IS TO PROVIDE SUMMER JOBS FOR YOUTHS WHO ARE AT LEAST 14 YEARS OLD AND NOT MORE THAN 18 YEARS OLD.

(4) THE PROGRAM SHALL PROVIDE SUMMER JOBS FOR YOUTHS BY:

(I) HIRING YOUTHS TO WORK DURING THE SUMMER FOR THE CITY OF BALTIMORE; OR

(II) PROVIDING GRANTS TO NONPROFIT ORGANIZATIONS THAT WILL PROVIDE SUMMER JOBS FOR YOUTHS.

(5) THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL ESTABLISH A COMMITTEE TO CARRY OUT THE PROGRAM.

(6) THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL ESTABLISH A PROCEDURE FOR THE DISPOSITION OF ANY FUNDS REMAINING IN THE PROGRAM IN THE EVENT THAT THE PROGRAM IS TERMINATED.

(7) TO BE ELIGIBLE FOR A GRANT FROM THE PROGRAM, A NONPROFIT ORGANIZATION SHALL:

(I) OPERATE WITHIN THE CITY OF BALTIMORE; AND

(II) MEET ANY OTHER REQUIREMENT ESTABLISHED UNDER THE PROGRAM.

(8) A NONPROFIT ORGANIZATION THAT RECEIVES A GRANT FROM THE PROGRAM MAY NOT USE THE GRANT TO:

(I) EMPLOY YOUTHS WHO DO NOT RESIDE IN THE CITY OF BALTIMORE; OR

(II) PROVIDE JOBS AT SITES THAT ARE LOCATED OUTSIDE OF THE CITY OF BALTIMORE.

(C) (1) (I) NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO REQUIRE AN EMPLOYER TO MAKE A DEDUCTION FROM THE WAGE OF AN EMPLOYEE.

(II) ON WRITTEN REQUEST OF AN EMPLOYEE, AN EMPLOYER MAY MAKE A DEDUCTION FROM THE WAGE OF AN EMPLOYEE FOR THE BENEFIT OF THE PROGRAM.

(III) THE WRITTEN REQUEST PROVIDED BY AN EMPLOYEE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL INCLUDE THE AMOUNT OF THE DEDUCTION.

(2) (I) AN EMPLOYER SHALL:

1. DISTRIBUTE QUARTERLY TO THE CITY OF BALTIMORE ANY FUNDS DEDUCTED BY THE EMPLOYER FROM THE WAGE OF AN EMPLOYEE; AND

2. REPORT QUARTERLY TO THE CITY OF BALTIMORE THE NAME, ADDRESS, AND OTHER INFORMATION PROVIDED BY THE EMPLOYEE UNDER SUBSECTION (C)(1) OF THIS SECTION.

(II) THE AMOUNT OF FUNDS DISTRIBUTED TO THE CITY OF BALTIMORE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL EQUAL THE AMOUNT OF FUNDS DEDUCTED FROM THE WAGES OF EMPLOYEES WHO HAVE SUBMITTED A WRITTEN REQUEST AS PROVIDED IN SUBSECTION (C)(1) OF THIS SECTION.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL PAY THE FUNDS INTO THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION.

(II) IF THE PROGRAM HAS ENDED, THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL FOLLOW THE PROCEDURE FOR THE DISPOSITION OF FUNDS REMAINING IN THE PROGRAM AS PROVIDED UNDER SUBSECTION (A)(6) OF THIS SECTION.

(4) THE CITY OF BALTIMORE MAY RECEIVE A DIRECT DONATION FROM A PERSON FOR THE BENEFIT OF THE PROGRAM.

(5) (I) THE CITY OF BALTIMORE SHALL PROVIDE A RECEIPT TO:

1. EACH EMPLOYEE WHOSE INFORMATION WAS REPORTED TO THE CITY OF BALTIMORE BY THE EMPLOYER UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

2. EACH PERSON FROM WHICH THE CITY OF BALTIMORE RECEIVES A DIRECT DONATION UNDER PARAGRAPH (4) OF THIS SUBSECTION.

(II) A RECEIPT PROVIDED BY THE CITY OF BALTIMORE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE A STATEMENT

THAT THE AMOUNT OF THE DEDUCTION FROM THE EMPLOYEE’S WAGES OR THE AMOUNT OF THE DONATION IS TAX-DEDUCTIBLE UNDER § 170(C) OF THE INTERNAL REVENUE CODE.

(D) (1) THE MAYOR AND CITY COUNCIL OF BALTIMORE SHALL ESTABLISH A SPECIAL FUND TO BE USED TO FUND THE PROGRAM.

(2) THE PROGRAM SHALL BE FUNDED BY:

(I) FUNDS DISTRIBUTED TO THE CITY OF BALTIMORE UNDER SUBSECTION (C) OF THIS SECTION;

(II) FUNDS APPROPRIATED TO THE PROGRAM BY THE MAYOR AND CITY COUNCIL OF BALTIMORE; AND

(III) DONATIONS RECEIVED BY THE CITY OF BALTIMORE TO BE USED FOR THE PROGRAM.

(3) FUNDS IN THE SPECIAL FUND MAY BE USED ONLY FOR FUNDING THE PROGRAM.”.

On page 8, in line 5, after the period insert “It shall remain effective for a period of 3 years and, at the end of September 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 568 – Delegate Rosenberg

AN ACT concerning

Sustainable Communities Tax Credit Program – Credit Allocation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 764 – Delegates Frick, Afzali, Arora, Bobo, Carr, Clagett, DeBoy, Hixson, Howard, Lafferty, Luedtke, McMillan, Mizeur, Pendergrass, Stein, Stocksdales, Summers, ~~and Zucker~~ Zucker, and A. Miller

AN ACT concerning

Tax Credit Evaluation Act

HB0764/759438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 764

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 2 and 3, strike in their entirety the lines beginning with line 19 on page 2 through line 12 on page 3, inclusive.

On page 3, in line 22, after “(A)” insert:

“(1) IF A TAX CREDIT HAS A TERMINATION DATE PROVIDED FOR BY LAW, AN EVALUATION SHALL BE MADE OF THAT CREDIT ON OR BEFORE JULY 1 OF THE YEAR PRECEDING THE CALENDAR YEAR OF THE TERMINATION DATE.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, AN EVALUATION SHALL BE MADE OF THE TAX CREDITS ON OR BEFORE THE DATES SPECIFIED IN SUBSECTIONS (B) THROUGH (E) OF THIS SECTION.

(B).

and in line 26, after “(ZONE);” insert “AND

(2) TITLE 6, SUBTITLE 4 OF THE ECONOMIC DEVELOPMENT ARTICLE, § 6–119 OF THE INSURANCE ARTICLE, AND § 10–714 OF THIS ARTICLE (ONE MARYLAND ECONOMIC DEVELOPMENT).

On pages 3 and 4, strike in their entirety the lines beginning with line 27 on page 3 through line 14 on page 4, inclusive.

On page 4, in line 15, strike “(B)” and substitute “(C)”; and after line 16, insert:

“(1) § 10–704 OF THIS ARTICLE (EARNED INCOME); AND

(2) § 10–730 OF THIS ARTICLE (FILM PRODUCTION ACTIVITY).”

On pages 4 and 5, strike in their entirety the lines beginning with line 17 on page 4 through line 3 on page 5, inclusive.

On page 5, in line 4, strike “(C)” and substitute “(D)”; after line 5, insert:

“(1) § 5A–303 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, § 6–105.2 OF THE INSURANCE ARTICLE, AND § 10–704.5 OF THIS ARTICLE (SUSTAINABLE COMMUNITIES); AND

(2) § 10–721 OF THIS ARTICLE (QUALIFIED RESEARCH AND DEVELOPMENT EXPENSES).”;

strike beginning with “(1)” in line 6 down through “(RESOURCES).” in line 22; in line 23, strike “(D)” and substitute “(E)”; and after line 24, insert:

“(1) § 9–230 OF THE TAX – PROPERTY ARTICLE, § 6–116 OF THE INSURANCE ARTICLE, AND § 10–704.8 OF THIS ARTICLE (NEW JOB CREATING BUSINESSES); AND

(2) § 10–726 OF THIS ARTICLE (BIOTECHNOLOGY INVESTMENT INCENTIVE).”

On pages 5 and 6, strike in their entirety the lines beginning with line 25 on page 5 through line 7 on page 6, inclusive.

AMENDMENT NO. 2

On page 6, in line 24, strike “AND”; and after line 25, insert:

**“(IV) THE SECRETARY, OR THE SECRETARY’S DESIGNEE, OF
THE DEPARTMENT THAT ADMINISTERS THE TAX CREDIT UNDER EVALUATION;
AND”.**

The preceding 2 amendments were read only.

Senator King moved, duly seconded, to make the Bill and Amendments a Special Order for April 9, 2012.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**House Bill 1289 – Chair, Ways and Means Committee (By Request –
Departmental – Business and Economic Development)**

AN ACT concerning

**Economic Development – Qualified Distressed Counties – One Maryland
Economic Development Tax Credit**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1476 – Delegate Rudolph

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Cecil County – Lower
Susquehanna Heritage Greenway**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #26

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 358 – The President (By Request – Administration) and Senators Colburn, Currie, DeGrange, Garagiola, Kasemeyer, King, Madaleno, Manno, McFadden, Middleton, Peters, Pugh, and Rosapepe

AN ACT concerning

Public–Private Partnerships

SB0358/279635/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 358

(First Reading File Bill)

On page 1, in the sponsor line, strike “Manno,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #27

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 26 – Senators Klausmeier, Stone, Kittleman, and Colburn

AN ACT concerning

Gaming – Table Games – Video Lottery Facilities

SB0026/809837/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 26
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Gaming” insert “Commercial”; in the same line, after “Facilities” insert “and Terminals”; in line 3, after the first “of” insert “authorizing an additional video lottery operation license and a certain number of additional video lottery terminals for a video lottery facility in a certain location in Prince George’s County; authorizing a certain number of additional video lottery terminals in the State;”; strike beginning with “requiring” in line 8 down through “and” in line 9 and substitute “prohibiting implementation of certain provisions of law until certain legislation is passed;”; in line 10, after “rejection” insert “; and generally relating to commercial gaming”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–05(a) and 9–1A–36(f), (h)(1), (i)(1), and (q)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 1, before line 11, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

9–1A–05.

(a) The Video Lottery Facility Location Commission established under § 9–1A–36 of this subtitle may not:

(1) award more than [five] **SIX** video lottery operation licenses;

(2) award more than [15,000] **16,000** video lottery terminals for operation at video lottery facilities in the State;

(3) subject to the requirements of § 9–1A–36(h) and (i) of this subtitle, award more than 4,750 terminals for operation at any video lottery facility; and

(4) for a location in Allegany County:

(i) award a video lottery operation license to an applicant that does not agree to purchase the Rocky Gap Lodge and Resort; and

(ii) notwithstanding § 9–1A–36(i)(2) of this subtitle, award more than 1,000 video lottery terminals for operation at a video lottery facility in Allegany County.

9–1A–36.

(f) The Video Lottery Facility Location Commission may award not more than [five] SIX video lottery operation licenses to qualified applicants, through a competitive process consistent with the process for competitive sealed proposals under Title 13 of the State Finance and Procurement Article.

(h) (1) In order to qualify for a video lottery operation license under this section, a proposed video lottery facility shall be located in one of the following counties:

(i) a location in Anne Arundel County, within 2 miles of MD Route 295;

(ii) a location in Cecil County, within 2 miles of Interstate 95;

(iii) a location on State property associated with the Rocky Gap State Park in Allegany County;

(iv) a location in Worcester County, within 1 mile of the intersection of Route 50 and Route 589; [or]

(v) a location in Baltimore City that is:

1. located:

A. in a nonresidential area;

B. within one-half mile of Interstate 95;

C. within one-half mile of MD Route 295; and

D. on property that is owned by Baltimore City on the date on which the application for a video lottery operation license is submitted; and

2. not adjacent to or within one-quarter mile of property that is:

A. zoned for residential use; and

B. used for a residential dwelling on the date the application for a video lottery operation license is submitted; OR

(VI) A LOCATION IN PRINCE GEORGE'S COUNTY WITHIN 4 MILES OF THE INTERSECTION OF BOCK ROAD AND ST. BARNABAS ROAD.

(i) (1) Except as provided in paragraphs (2) and (3) of this subsection, the Video Lottery Facility Location Commission may not allocate more than the following number of video lottery terminals for:

(i) a location in Anne Arundel County – 4,750 video lottery terminals;

(ii) a location in Baltimore City – 3,750 video lottery terminals;

(iii) a location in Cecil County – 2,500 video lottery terminals;

(IV) A LOCATION IN PRINCE GEORGE'S COUNTY — 3,750 VIDEO LOTTERY TERMINALS;

[(iv)] (V) a location in Rocky Gap State Park (Allegany County) – 1,000 video lottery terminals; and

[(v)] (VI) a location in Worcester County – 2,500 video lottery terminals.

(q) (1) Nothing in this subtitle may be construed to require the Video Lottery Facility Location Commission to award all [five] SIX video lottery operation licenses authorized under this subtitle.”.

AMENDMENT NO. 3

On page 1, strike in their entirety lines 11 and 12 and substitute “SECTION 2. AND BE IT FURTHER ENACTED, That:”.

On page 2, in line 10, strike “2.” and substitute “3.”; in lines 10 and 11, strike “Section 1” and substitute “Sections 1 and 2”; in line 11, after “authorize” insert “a sixth video lottery operation license in Prince George’s County and”; in line 13, strike “3” and substitute “4”; in line 14, after “2012,” insert “the law may not be implemented until”; in the same line, after “legislation” insert “is”; strike beginning with “shall” in line 15 down through “State” in line 16; in line 17, strike “3.” and substitute “4.”; in line 27, strike “4.” and substitute “5.”; in line 28, strike “3” and substitute “4”; and in line 29, strike “3” and substitute “4”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0026/103823/1

BY: Senator Madaleno

AMENDMENTS TO SENATE BILL 26, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 9, before “submitting” insert “providing that certain legislation may authorize certain games to begin in a temporary facility; providing that a certain license may not permit the operation of certain video lottery machines before a certain date.”.

AMENDMENT NO. 2

On page 2 of the bill, after line 16, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) If the qualified voters of Maryland approve the referendum required under this Act, the legislation enacted to permit a sixth video lottery operation license in Prince George's County may authorize table games to begin in a temporary facility.

(b) A license awarded to a sixth video lottery operation license may not permit the operation of the video lottery terminals before July 1, 2015."

On page 5 of the Budget and Taxation Committee Amendments (SB0026/809837/1), in line 4 of Amendment No. 3, strike "4" and substitute "5"; in line 6, strike "4." and substitute "5."; in line 7, strike "5." and substitute "6."; and in lines 7 and 8, in each instance, strike "4" and substitute "5".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0026/773020/1

BY: Senator Ferguson

AMENDMENTS TO SENATE BILL 26 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "jurisdiction," insert "requiring that a certain amount of proceeds from table games that are paid to the Education Trust Fund be used for certain purposes:".

AMENDMENT NO. 2

On page 2, after line 9, insert:

"(e) At least 10% of the proceeds from table games that are paid to the Education Trust Fund established under § 9-1A-30 of the State Government Article shall be used to expand access to publicly funded preschool and early childhood education programs consistent with the Maryland State Department of Education's Preschool For All Business Plan and the Bridge to Excellence in Public Schools Act of 2002."

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 19 Negative – 27 (See Roll Call No. 1229)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 1230)

ADJOURNMENT

At 2:44 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 4:00 P.M. on Legislative Day April 2, 2012, Calendar Day, Saturday, April 7, 2012.

Annapolis, Maryland
Legislative Day: April 2, 2012
Calendar Day: Saturday, April 7, 2012
4:00 P.M. Session

The Senate met at 4:23 P.M.

Prayer by Senator McFadden.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 1232)

The Journal of April 1, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Raskin be excused from today's session.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

| NUMBER | SPONSOR | CONTENT |
|--------|-------------------|--|
| SB 147 | Chair, EHE Com. | State Govt – Administrative Procedure Act – Changes to Previously Published Proposed Regs |
| SB 205 | Sen. Edwards | Garrett County – Correctional Officers' Bill of Rights |
| SB 227 | Ch., Finance Com. | Md Health Care Commission – Assessment of Fees and Md Trauma Physician Services Fund – Revisions |
| SB 230 | Ch., Finance Com. | Insurance – Maryland Health Care Provider Rate Stabilization Fund |
| SB 231 | Ch., Finance Com. | Individuals with Disabilities – Attendant Care Program |
| SB 235 | The President | Procurement – Investment |

| | | |
|--------|----------------------|---|
| SB 256 | Sen. Astle | Activities in Iran Property and Casualty Insurance – Commercial Policies – Notices of Premium Increases |
| SB 314 | Sen. Pugh | State Personnel – Traumatic Events – Mental Health Support Services |
| SB 332 | Sen. Edwards | Family Security Trust Fund – Requirement to Transfer Interest to the General Fund – Exemption |
| SB 337 | Sen. Conway | St Bd of Nursing – Nurses, Nursing Asst, Med Techs and Electrologists – Lic and Certification Req |
| SB 377 | Sen. Conway | Alcoholic Beverages – Baltimore City – False Advertising |
| SB 405 | Sen. Pugh | Life Sciences Advisory Board – Purpose and Membership |
| SB 415 | Sen. Montgomery | Handling Human Remains with Dignity Act of 2012 |
| SB 455 | Sen. Middleton | State Personnel – Special Appointments – Status |
| SB 463 | Anne Arundel Co. Sen | Local Government Self-Insurance Funds – Exclusion from Investment Guidelines |
| SB 476 | Sen. Klausmeier | State Government – Financial Education and Capability Commission |
| SB 542 | Sen. Jones–Rodwell | Local Government Investment Pool – Authorized Participants |
| SB 606 | Sen. DeGrange | Finance and Procurement – State Treasury – Collateral |
| SB 764 | Sen. Kelley | Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance |
| SB 783 | Sen. Pugh | State Personnel – Collective Bargaining – Applicability |
| SB 804 | Sen. Brinkley | Human Services – Service Animal Trainers – Nondiscrimination |
| SB 855 | Sen. Raskin | Corporations and Associations – Limited Liability Act – |

| | | |
|----------------------------|--------------------|---|
| SB 870 (Emergency Bill) | Sen. Conway | Revisions State Bd of Physicians – Athletic Trainer Advisory Committee – Ed, Supervision, and Admin |
| SB 880 | Sen. Jones–Rodwell | State Retirement and Pension System – Transfer of Members Between Systems |
| SB 885 | Sen. Peters | Parole and Probation – Employee Caseloads – Disciplinary Actions |
| SB 899 | Sen. Gladden | Correctional Services – Correctional Officer – Emergency Suspension Rescinded |
| SB 954 | Sen. Middleton | Medical Records – Enhancement or Coordination of Patient Care |
| SB 1077 | Sen. Middleton | Mortality and Quality Review Committee – Reporting Requirements – Sunset Extension |

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 365 – Delegates Mitchell, Glenn, Anderson, Branch, Carter, Clippinger, Conaway, Hammen, Haynes, McHale, McIntosh, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington

AN ACT concerning

**Baltimore City – Nuisance Abatement and Local Code Enforcement –
Community Associations**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE CONFERENCE COMMITTEE REPORT.

BILL NO.: **HB 365** SPONSOR: **Delegate Mitchell**

SUBJECT: **Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations**

THIRD READING CALENDAR HOUSE NO. 13 SENATE NO. 2

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the Judicial Proceedings Committee Amendments (HB0365/628271/1) be rejected.

Senate Members:

House Members:

Chair, **Lisa A. Gladden**

Chair, **Cheryl D. Glenn**

James Brochin

Anne Healey

Brian E. Frosh

Patrick N. Hogan

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Senator Gladden moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #41

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 520 – Delegates Nathan–Pulliam, Barkley, Braveboy, Burns, Davis, Feldman, Harrison, Impallaria, Jameson, Jones, Kramer, Love, McHale, Minnick, Oaks, Olszewski, B. Robinson, Schuh, Stukes, Tarrant, and Vaughn

EMERGENCY BILL

AN ACT concerning

Electric Companies – Contact Voltage – Surveys and Mitigation – The Deanna Camille Green Act of 2012

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1269 – Delegates Barnes, Davis, and Hucker

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

HB1269/637577/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1269
(Third Reading File Bill)

On page 6, in line 30, strike the second “and”; and in line 31, after “(7)” insert “representatives from a landlord association or a property owners association; and
(8)”.

On page 7, in line 10, strike “minimize” and substitute “eliminate”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1272 – Delegates A. Miller, Cullison, Reznik, S. Robinson, and Washington

AN ACT concerning

Public Health – Electronic Cigarettes – Distribution to Minors Prohibited

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #42

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 472 – Delegates McIntosh and Feldman

AN ACT concerning

~~**Reduction of Lead Risk in Housing – Creation of Lead Poisoning
Compensation Fund**~~
Workgroup on Lead Liability Protection for Rental Property

HB0472/247975/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 472
(Third Reading File Bill)

On page 16, in line 27, strike “one member” and substitute “two members”.

On page 17, in line 9, strike “retired judges and”.

On page 18, in line 5, after “relevant” insert “insurance-related”; in line 6, after “study,” insert “and”; and strike beginning with “the” in line 7 down through “(6)” in line 11.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #43

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**House Bill 1101 – The Speaker (By Request – Administration) and Delegates
Barkley, Barnes, Guzzone, Hucker, Ivey, Malone, McHale, Ross,
Valentino-Smith, and Vaughn**

AN ACT concerning

Workers' Compensation – Medical Presumptions

HB1101/477270/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1101

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Presumptions” insert “and Study”; in line 5, strike “providing that certain” and substitute “altering the”; in the same line, after “cancers” insert “that”; and in line 7, after “manner;” insert “requiring the Department of Legislative Services, in consultation with and as agreed by certain stakeholders, to contract with a certain individual to conduct a certain study of certain types of cancers that certain individuals may contract in the line of duty; providing for the purpose of the study; providing that any funding needed to pay for the study shall be from sources other than the Department; requiring the Department to give certain notice to certain persons and entities under certain circumstances; requiring a certain individual to identify and review certain studies and other medical evidence, prepare a certain summary table, determine whether there is a certain benchmark, and consider certain matters; requiring the individual to consult with certain persons or entities under certain circumstances; requiring the individual to report to the Department on or before a certain date; requiring the Department to forward a certain report to certain committees of the General Assembly; requiring a certain organization, in consultation with certain persons and entities, to determine the statistics relating to certain individuals that should be kept for a certain purpose; providing for a delayed effective date for certain provisions of this Act; providing for the application and construction of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 3, in line 19, strike “pancreatic,”.

AMENDMENT NO. 3

On page 5, after line 31, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) The Department of Legislative Services, in consultation with and as agreed by the affected stakeholders, shall contract with a medical expert affiliated with an academic research institution or organization to conduct a study of all types of cancers that firefighters, firefighting instructors, members of the Office of the State Fire Marshal, rescue squad members, and advanced life support unit members, as specified under the workers’ compensation cancer presumption law, may contract in the line of duty, as compared to the general population.

(2) The purpose of the study is to provide guidance to the General Assembly as to the types of cancers firefighters and others are likely to contract in the line of duty in order for the General Assembly to determine which types of cancers should be included in the workers’ compensation cancer presumption law.

(3) (i) Funding, if any, that may be needed to pay for the study shall be from sources other than the Department.

(ii) If adequate funding is not available to pay for the study, the Department shall notify the Governor, the affected stakeholders, and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Economic Matters Committee, that the Department is unable to contract with a medical expert affiliated with an academic research institution or organization to conduct the study, and requesting whether additional funding may be secured in order for the Department to proceed with contracting with a medical expert.

(b) In conducting the study, the medical expert shall:

(1) identify and review recent objective and statistically valid studies and other medical evidence relating to all types of cancers firefighters and others may contract in the line of duty;

(2) prepare a summary table ranking the likelihood of each type of cancer risk to firefighters and others, as compared to the general public;

(3) determine whether there is a benchmark that could be used to determine if a specific type of cancer should be included in the workers' compensation cancer presumption law; and

(4) consider other relevant matters that relate to the purpose of the study.

(c) In conducting the study, the medical expert shall consult with any person or entity that the medical expert determines appropriate.

(d) (1) On or before December 1, 2012, the medical expert conducting the study shall report the findings of the study to the Department of Legislative Services.

(2) On receipt of the report, the Department of Legislative Services shall forward the report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2-1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Association of Counties, in consultation with the Professional Firefighters of Maryland and any other entity or person the Association determines appropriate, shall determine the statistics that, as practicable, should be kept relating to firefighters and others who have contracted cancer in order to evaluate the impact of the workers' compensation cancer presumption law.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act:

(1) shall apply to claims filed for an occupational disease on or after June 1, 2013; and

(2) may not construed to apply to any claim filed before June 1, 2013.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect June 1, 2013.”;

in line 32, strike “2.” and substitute “6.”; in the same line, after “That” insert “, except as provided in Section 5 of this Act,”; and in line 33, strike “July” and substitute “June”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #15

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

House Bill 160 – Delegates Niemann, Barnes, Beidle, Branch, Braveboy, Carr, Carter, Clippinger, Frush, Gilchrist, Glenn, Healey, Hogan, Holmes, Kipke, Lafferty, McMillan, Proctor, Ross, Summers, V. Turner, ~~and Weir~~ Weir, and Wilson

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

House Bill 319 – Delegates Proctor, Anderson, Aumann, Bates, Beidle, Cane, Cluster, DeBoy, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Hershey, Howard, Hubbard, Hucker, Impallaria, Krebs, Love, Malone, McDonough, McHale, O'Donnell, Ross, Vallario, and Wood

AN ACT concerning

Sales and Use Tax – Exemption – Veterans' Organizations

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 342 – Delegates Smigiel, Hershey, and Jacobs

AN ACT concerning

Education – Regional School of the Arts for Cecil, Kent, and Queen Anne's Counties – Feasibility Study

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

House Bill 444 – The Speaker (By Request – Administration) and Delegates Afzali, Bohanan, Cane, Clagett, Conway, Glass, Hershey, Hough, Jacobs, Jameson, A. Kelly, Krebs, Lafferty, Love, Luedtke, McComas, Murphy, Otto, Parrott, Ready, ~~and Schulz~~ Schulz, Boteler, Cardin, Frick, George, Howard, Ivey, Kaiser, A. Miller, Myers, Ross, Serafini, Stukes, Summers, F. Turner, and Walker

AN ACT concerning

Family Farm Preservation Act of 2012

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 677 – Delegate Davis

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 885 – Delegates Jameson, Barkley, Burns, Haddaway-Riccio, Impallaria, Love, W. Miller, Minnick, and Schulz

AN ACT concerning

**Fraudulent Insurance Acts – Individual Sureties – Contracts
of Surety Insurance**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 1017 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

~~Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company~~

Task Force to Study Maryland Insurance of Last Resort Programs

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1019 – Delegates Murphy, Barve, Branch, Carr, Frick, Gilchrist, Howard, Hubbard, Ivey, Kipke, Luedtke, Rosenberg, Ross, Stukes, Summers, ~~and Walker~~ Walker, and Cardin

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 1087 – Delegates Hixson and Davis

AN ACT concerning

~~Telecommunications~~ **Communications Companies – Universal Service Trust Fund – Surcharge**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

House Bill 1107 – Delegates Olszewski, Arora, Beidle, Bohanan, DeBoy, James, McDonough, Weir, and Wood

AN ACT concerning

Job Creation Tax Credit – ~~Amount of Credit and~~ Termination Provisions

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1219 – Delegates Boteler, Branch, Cluster, George, Glass, Hixson, Hough, Ivey, Kach, McDermott, A. Miller, Myers, Norman, Stukes, Summers, F. Turner, Walker, and Weir

EMERGENCY BILL

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – ~~Local Approval and Reporting Requirements~~ Development or Review and Approval

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 1223 – Delegate Guzzone

AN ACT concerning

Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

House Bill 1237 – Delegate Morhaim

AN ACT concerning

**~~Maryland Energy Administration – Study on the Use of Solar Panels on~~
School Buildings – Solar Technology – Design Development Documents**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**House Bill 1261 – Baltimore City Delegation and Delegates Branch,
Clippinger, Conaway, Glenn, Harrison, Haynes, McHale, Mitchell, Oaks,
B. Robinson, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Representation of Child Support Enforcement
Administration – Transfer of Employees**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**House Bill 1333 – Delegates Frush, McIntosh, Bobo, Healey, Holmes,
Hubbard, Lafferty, Murphy, Niemann, S. Robinson, and Stein**

AN ACT concerning

Environment – Nitrogen Removal Technology – Payment of Cost Differential

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 1356 – Delegate Barkley

AN ACT concerning

Health Insurance – Dental Preventive Care – Coverage

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 1445 – Delegate Stifler

AN ACT concerning

**Plumbing and Heating, Ventilation, Air-Conditioning, and Refrigeration
Employees – Public Work Contracts – License Requirement and Employee
Classification**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 1457 – Charles County Delegation

AN ACT concerning

Charles County – Correctional Officers’ Bill of Rights Act

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

House Bill 1463 – Delegate Griffith

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County
– Prince George’s VFD**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Joint Resolution be re-referred to the Committee on Education, Health, and Environmental Affairs:

**House Joint Resolution 3 – Delegates Morhaim, Barve, Cardin, Cluster,
Costa, Feldman, Griffith, Holmes, Hubbard, Lafferty, McIntosh,
A. Miller, Nathan-Pulliam, Pena-Melnyk, Ross, Stein, and
Waldstreicher**

A House Joint Resolution concerning

**Maryland Ratification of the 17th Amendment to the United States
Constitution**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

**House Bill 1372 – Chair, Environmental Matters Committee (By Request –
Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Commercial Fishing Licenses, Authorizations, and
Permits**

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO
AMENDMENT.

Read the second time and ordered prepared for Third Reading.

House Bill 670 – Delegates Hough, Waldstreicher, Bates, and B. Robinson

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

FLOOR AMENDMENT

HB0670/923123/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 670
(Third Reading File Bill)

On page 3, in line 16, after the first “OF” insert “**§ 2-503**.”

The preceding amendment was read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 8 (See Roll Call No. 1233)

The Bill was then sent to the House of Delegates.

House Bill 644 – Delegates Oaks and Niemann

AN ACT concerning

Environment – Reducing the Incidence of Lead Poisoning

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

FLOOR AMENDMENT

HB0644/983320/1

BY: Senator Young

AMENDMENTS TO HOUSE BILL 644

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, strike “; altering a certain definition”; in line 23, after “6–801(a)” insert “and (b)”.

On page 2, in line 4, strike “6–801(b),”.

AMENDMENT NO. 2

On page 2, in line 25, after “unit;” insert “or”; and strike beginning with “(II)” in line 26 down through “(III)” in line 28 and substitute “(ii)”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 23 Negative – 23 (See Roll Call No. 1234)

FLOOR COMMITTEE AMENDMENT

HB0644/238072/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 644, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (HB0644/768075/1), in line 4 of Amendment No. 2, strike “1997” and substitute “1977”.

On page 2 of the Judicial Proceedings Committee Amendments, in lines 6 and 14, in each instance, strike “1997” and substitute “1977”.

The preceding Committee amendment was read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 8 (See Roll Call No. 1235)

The Bill was then sent to the House of Delegates.

Senate Bill 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

STATUS OF BILL: SENATE HAS CONCURRED IN HOUSE AMENDMENTS. THE BILL, AS AMENDED, IS ON THIRD READING FOR FINAL PASSAGE.

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

CONCURRENCE CALENDAR #29

AMENDED IN THE HOUSE

Senate Bill 77 – Senator Kelley

AN ACT concerning

Life Insurance and Annuities – Unfair Claim Settlement Practices – Failure to ~~Cross-Check~~ Search Death Master File

Senator Middleton moved that the Senate concur in the House amendments.

SB0077/396886/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 77

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, after the second semicolon insert “providing for a delayed effective date:”.

AMENDMENT NO. 2

On page 6, in line 25, strike “2012” and substitute “2013”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1236)

AMENDED IN THE HOUSE**Senate Bill 894 – Senator Jones–Rodwell**

AN ACT concerning

**Baltimore City – Representation of Child Support Enforcement
Administration – Transfer of Employees**

Senator Middleton moved that the Senate concur in the House amendments.

SB0894/154563/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 894

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Department” in line 4 down through “hires” in line 5 and substitute “Office of the Attorney General appoints”; in the same line, after “certain” insert “individuals who were”; in line 7, after “period” insert “and continue providing certain services on or after a certain date”; in line 12, after “benefits,” insert “requiring certain employees who transfer service credit from the Employees’ Retirement System of the City of Baltimore to be subject to a certain pension selection or pension benefit”; in line 15, strike “pension” and substitute “employer”; in line 16, after “contributions” insert “and interest”; and in line 18, strike the third “the” and substitute “position identification numbers in the”.

AMENDMENT NO. 2

On page 2, strike beginning with “the” in line 24 down through “hires” in line 25; and in line 28, after “2012” insert “is appointed by the Office of the Attorney General to continue providing services for the Child Support Enforcement Administration as a State employee on or after October 1, 2012”.

On page 3, in line 13, strike the colon and substitute a comma; in line 14, strike “1.”; in line 16, strike “§ 2–308” and substitute “§ 2–508”; in line 18, strike “and”; strike in their entirety lines 19 through 24, inclusive, and substitute:

“(2) an employee who elects to transfer service credit from the Employees’ Retirement System of the City of Baltimore to the Employees’ Pension System of the State of Maryland as provided in Title 37 of the State Personnel and Pensions Article shall be subject to:

(i) the Alternate Contributory Pension Selection of the Employees’ Pension System as provided under Title 23, Subtitle 2, Part III of the State Personnel and Pensions Article, if the beginning date of the employee’s membership in the Baltimore City Employees’ Retirement System was on or before June 30, 2011; or

(ii) the Reformed Contributory Pension Benefit of the Employees’ Pension System as provided under Title 23, Subtitle 2, Part IV of the State Personnel and Pensions Article, if the beginning date of the employee’s membership in the Baltimore City Employees’ Retirement System was on or after July 1, 2011;”;

in lines 25 and 29, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; in line 28, strike the second “and”; in line 30, after “Baltimore” insert “on or before September 30, 2012, and elects to retire from the Employees’ Retirement System upon commencing employment with the State”; and strike beginning with “may” in line 31 down through “(ii)” in line 33.

On page 4, in line 1, strike “(iii)” and substitute “(ii)”; in line 3, strike “(4)” and substitute “(5)”; in line 5, strike “Office of the Attorney General” and substitute “State”; in line 8, strike “pension” and substitute “employer”; in the same line, after “contributions” insert “and interest”; in line 9, strike “Department of Human Resources” and substitute “State”; and in line 10, strike “Title 37” and substitute “§ 37–205”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1237)

AMENDED IN THE HOUSE

Senate Bill 938 – Senator Mathias

AN ACT concerning

**Property and Casualty Insurance – Rescission of Policy or Binder –
Authorized**

Senator Middleton moved that the Senate concur in the House amendments.

SB0938/613491/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 938
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Property and Casualty” and substitute “Personal Automobile”; in line 4, after “personal” insert “automobile”; in line 5, strike “, commercial property insurance, or commercial liability insurance”; in line 8, after “circumstances,” insert “requiring an insurer to continue or reinstate a certain policy or binder without a lapse of coverage under certain circumstances”; in line 12, after “Act,” insert “providing for a delayed effective date”; and in line 13, strike “property and casualty” and substitute “personal automobile”.

AMENDMENT NO. 2

On page 2, in line 13, strike “AN” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**”; in the same line, after “BINDER” insert “**OF PERSONAL AUTOMOBILE INSURANCE**”; in line 22, after “INITIAL” insert “**PREMIUM**”; after line 23, insert:

“(2) AN INSURER SHALL CONTINUE OR REINSTATE A POLICY OR BINDER UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHOUT A LAPSE IN COVERAGE IF:

(I) 1. THE FINANCIAL INSTITUTION ERRONEOUSLY
FAILED TO HONOR THE CHECK OR OTHER REMITTANCE; AND

2. THE APPLICANT:

A. PROMPTLY NOTIFIES THE INSURER OF THE
ERROR; AND

B. PROVIDES DOCUMENTATION OF THE ERROR TO
THE INSURER AS IT BECOMES AVAILABLE AND ON REQUEST OF THE INSURER;
OR

(II) THE APPLICANT OR ANY SECURED CREDITOR PAYS THE
INSURER THE AMOUNT OF THE INITIAL PREMIUM WITHIN 5 BUSINESS DAYS
AFTER THE INSURER HAS SENT NOTICE, AS PROVIDED IN PARAGRAPH (3) OF
THIS SUBSECTION, TO THE APPLICANT AND ANY SECURED CREDITOR THAT THE
CHECK OR OTHER REMITTANCE FOR THE INITIAL PREMIUM PAYMENT WAS NOT
HONORED.”;

in line 24, strike “(2)” and substitute “(3)”; and in line 32, after “(I)” insert “1.”.

On page 3, in line 3, strike “(II)” and substitute “2.”; in line 5, strike “(III)” and substitute “(II)”; strike beginning with “IF” in line 5 down through “ERROR,” in line 6; in line 7, after “IF” insert “:

1. THE FINANCIAL INSTITUTION ERRONEOUSLY
FAILED TO HONOR THE CHECK OR OTHER REMITTANCE AND”;

in lines 9 and 11, strike “1.” and “2.”, respectively, and substitute “A.” and “B.”, respectively; in line 13, after “INSURER” insert “; OR

2. THE APPLICANT OR ANY SECURED CREDITOR
PAYS THE INSURER THE AMOUNT OF THE INITIAL PREMIUM WITHIN 5 BUSINESS
DAYS AFTER THE INSURER HAS SENT NOTICE TO THE APPLICANT AND ANY

SECURED CREDITOR THAT THE CHECK OR OTHER REMITTANCE FOR THE INITIAL PREMIUM PAYMENT WAS NOT HONORED;

strike beginning with “personal” in line 15 down through “renewed” in line 16 and substitute “personal automobile insurance issued or delivered”; and in lines 17 and 19, in each instance, strike “October 1, 2012” and substitute “January 1, 2013”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1238)

CONCURRENCE CALENDAR #28

AMENDED IN THE HOUSE

Senate Bill 335 – Chair, Budget and Taxation Committee (By Request – Judicial Compensation Commission)

AN ACT concerning

Judges’ Retirement System – Contribution Rates for New Members

Senator Kasemeyer moved that the Senate not concur in the House amendments.

SB0335/454068/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 335

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “System –” insert “Compensation,”; in the same line, strike “for New Members” and substitute “, and Vesting Requirements”; in line 3, after the first “of” insert “altering the process under which the salary recommendations of the Judicial Compensation Commission go into effect,”; strike beginning with “individuals” in line 3 down through “become” in line 4; in line 4, strike “on or after a certain date”; strike beginning with “altering” in line 5 down through “Act;” in line 7 and substitute “requiring individuals who become members of the Judges’ Retirement

System on or after a certain date to earn a certain amount of eligibility service before becoming eligible to receive certain retirement allowances; altering the calculation of a normal service retirement allowance for certain members in the Judges' Retirement System;"; after line 7, insert:

"BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 1–708

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)";

in line 10, after "27–202" insert ", 27–401, and 27–402(c)"; strike in their entirety lines 13 through 18, inclusive; and after line 18, insert:

"BY repealing

Article – State Personnel and Pensions

Section 29–301

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 29–301

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 1, after line 20, insert:

"Article – Courts and Judicial Proceedings

1–708.

(a) The salaries and pensions of the judges of the Court of Appeals, the Court of Special Appeals, the circuit courts of the counties, and the District Court shall be established as provided by this section, §§ 1–701 through 1–707 of this subtitle, and Title 27 of the State Personnel and Pensions Article.

(b) (1) There is a Judicial Compensation Commission. The Commission shall study and make recommendations with respect to all aspects of judicial compensation, to the end that the judicial compensation structure shall be adequate to assure that highly qualified persons will be attracted to the bench and will continue to serve there without unreasonable economic hardship.

(2) The Commission consists of seven members appointed by the Governor. No more than three members of the Commission may be individuals admitted to practice law in this State. In nominating and appointing members, special consideration shall be given to individuals who have knowledge of compensation practices and financial matters. The Governor shall appoint:

(i) Two members from a list of the names of at least five nominees submitted by the President of the Senate;

(ii) Two from a list of the names of at least five nominees submitted by the Speaker of the House of Delegates;

(iii) One from a list of the names of at least three nominees submitted by the Maryland State Bar Association, Inc.; and

(iv) Two at large.

(3) A member of the General Assembly, officer or employee of the State or a political subdivision of the State, or judge or former judge is not eligible for appointment to the Commission.

(4) The term of a member is 6 years, commencing July 1, 1980, and until the member's successor is appointed. However, of the members first appointed to the Commission, the Governor shall designate one of the members nominated by the President of the Senate to serve for 3 years and one for 6 years; one of the members nominated by the Speaker to serve for 4 years and one for 5 years; the member nominated by the Maryland State Bar Association, Inc., to serve for 3 years; and one of the members at large to serve for 2 years, and one for 6 years. A member is eligible for reappointment.

(5) Members of the Commission serve without compensation, but shall be reimbursed for reasonable expenses incurred in carrying out their responsibilities under this section.

(6) The members of the Commission shall elect a member as chairman of the Commission.

(7) The concurrence of at least five members is required for any formal Commission action.

(8) The Commission may request and receive assistance and information from any unit of State government.

(c) On or after September 1, 2011, September 1, 2013, and every 4 years thereafter, the Commission shall review the salaries and pensions of the judges of the courts listed in subsection (a) of this section and make written recommendations to the Governor and General Assembly on or before the next ensuing regular session of the General Assembly. The Governor shall include in the budget for the next ensuing fiscal year the funding necessary to implement those recommendations, contingent on action by the General Assembly under subsections (d) and (e) of this section.

(d) (1) The salary recommendations made by the Commission shall be introduced as a joint resolution in each House of the General Assembly not later than the fifteenth day of the session. The General Assembly may amend the joint resolution to decrease any of the Commission salary recommendations, but no reduction may diminish the salary of a judge during his continuance in office. The General Assembly may not amend the joint resolution to increase the recommended salaries. [If the General Assembly fails to adopt or amend the joint resolution within 50 days after its introduction, the salaries recommended by the Commission shall apply. If the joint resolution is adopted or amended in accordance with this section within 50 days after its introduction, the salaries so provided shall apply.] **THE JOINT RESOLUTION SHALL BECOME EFFECTIVE ONLY IF PASSED BY THE GENERAL ASSEMBLY.** If the General Assembly [rejects] **FAILS TO ADOPT OR AMEND** any or all of the Commission's salary recommendations **CONTAINED IN THE JOINT RESOLUTION**, the salaries of the judges affected remain unchanged, unless modified under other provisions of law.

(2) The Governor or the General Assembly may not increase the recommended salaries, except as provided under § 1–703(b) of this subtitle.

(e) The recommendation of the Commission as to pensions shall be introduced by the presiding officers of the Senate and the House of Delegates in the form of legislation, and shall become effective only if passed by both Houses.

(f) Any change in salaries or pensions adopted by the General Assembly under this section takes effect as of the July 1 of the year next following the year in which the Commission makes its recommendations.

(g) This section does not affect § 1-702(b), § 1-703(b), or §§ 1-705 through 1-707 of this subtitle, or Title 27 of the State Personnel and Pensions Article.”.

AMENDMENT NO. 3

On page 2, in line 3, strike the brackets; in the same line, strike “SUBSECTIONS (B) AND (C)”; in line 4, strike “6%” and substitute “8%”; and strike beginning with “THE” in line 5 down through “(C)” in line 8.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 10 through 22, inclusive, and substitute:
“27-401.

(A) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES’ RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.

(2) A member or former member is entitled to a retirement allowance:

[(1)] (I) on termination of service, if the member is at least 60 years old;

[(2)] (II) on the recommendation of the medical board, if the member or former member resigns because of disability;

[(3)] (III) when retired by order of the Court of Appeals; or

[(4)] (IV) at the age of 60 years, if the former member’s termination of service occurred earlier.

(B) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(2) A MEMBER OR FORMER MEMBER IS ENTITLED TO A RETIREMENT ALLOWANCE:

(I) ON TERMINATION OF SERVICE, IF THE MEMBER IS AT LEAST 60 YEARS OLD AND HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE;

(II) ON THE RECOMMENDATION OF THE MEDICAL BOARD, IF THE MEMBER OR FORMER MEMBER RESIGNS BECAUSE OF DISABILITY;

(III) WHEN RETIRED BY ORDER OF THE COURT OF APPEALS;
OR

(IV) AT THE AGE OF 60 YEARS, IF THE FORMER MEMBER'S TERMINATION OF SERVICE OCCURRED EARLIER AND THE FORMER MEMBER HAD AT LEAST 5 YEARS OF ELIGIBILITY SERVICE WHEN THE FORMER MEMBER TERMINATED SERVICE.

27-402.

(c) (1) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.

(II) On retirement under this subtitle by a retiree who has less than 16 years of service credit as a member, the retiree is entitled to a reduced retirement allowance that equals the retirement allowance computed under subsection (a) or (b) of this section multiplied by a fraction that has:

[(1)] 1. for its numerator, the number of years of service credit as a member; and

[(2)] 2. for its denominator, 16.

(2) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(II) ON RETIREMENT UNDER THIS SUBTITLE BY A RETIREE WHO HAS AT LEAST 5 YEARS BUT LESS THAN 16 YEARS OF SERVICE CREDIT AS A MEMBER, THE RETIREE IS ENTITLED TO A REDUCED RETIREMENT ALLOWANCE THAT EQUALS THE RETIREMENT ALLOWANCE COMPUTED UNDER SUBSECTION (A) OR (B) OF THIS SECTION MULTIPLIED BY A FRACTION THAT HAS:

1. FOR ITS NUMERATOR, THE NUMBER OF YEARS OF SERVICE CREDIT AS A MEMBER; AND

2. FOR ITS DENOMINATOR, 16.

[29-301.

This subtitle does not apply to the Judges' Retirement System.]

29-301.

(A) THIS SECTION APPLIES ONLY TO A MEMBERS OF THE JUDGES' RETIREMENT SYSTEM WHO BECOMES A MEMBER ON OR AFTER JULY 1, 2012.

(B) (1) A MEMBER MAY ELECT TO RECEIVE A VESTED ALLOWANCE IF:

(I) THE MEMBER IS SEPARATED FROM EMPLOYMENT OTHER THAN BY DEATH OR RETIREMENT; AND

(II) THE MEMBER HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE.

(2) A MEMBER IS DEEMED TO HAVE ELECTED A VESTED ALLOWANCE, UNLESS THE MEMBER REQUESTS THE RETURN OF THE ACCUMULATED CONTRIBUTIONS BEFORE MEMBERSHIP ENDS.

(C) A VESTED ALLOWANCE IS A DEFERRED ALLOWANCE STARTING AT AGE 60.

(D) A VESTED ALLOWANCE:

(1) IS COMPUTED AS A RETIREMENT ALLOWANCE UNDER § 27-402 OF THIS ARTICLE ON THE BASIS OF THE FORMER MEMBER'S CREDITABLE SERVICE AT THE TIME OF SEPARATION FROM EMPLOYMENT; AND

(2) MAY BE PAID IN ONE OF THE OPTIONAL FORMS OF ALLOWANCES UNDER § 21-403 OF THIS ARTICLE, IF AT RETIREMENT, THE MEMBER DOES NOT HAVE A SPOUSE OR CHILD UNDER THE AGE OF 18.

(E) (1) IF A FORMER MEMBER WHO ELECTED A VESTED ALLOWANCE REQUESTS THE RETURN OF ACCUMULATED CONTRIBUTIONS BEFORE PAYMENT OF THE VESTED ALLOWANCE BEGINS, THE BOARD OF TRUSTEES SHALL RETURN THE ACCUMULATED CONTRIBUTIONS TO THE FORMER MEMBER.

(2) WHEN ACCUMULATED CONTRIBUTIONS ARE RETURNED TO A FORMER MEMBER, THE FORMER MEMBER IS NOT ENTITLED TO FURTHER BENEFITS ON ACCOUNT OF THE FORMER MEMBER'S PREVIOUS MEMBERSHIP."

AMENDMENT NO. 5

On page 2, in line 23, strike "4." and substitute "2."; and strike beginning with the second comma in line 23 down through "Act." in line 24.

The preceding 5 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0335

SPONSOR: Chr B&T (Jud Comp Comm)

SUBJECT: Judges' Retirement System – Contribution Rates for New Members

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Jones–Rodwell, Chairman
 Senator Madaleno
 Senator Brinkley.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
 Secretary

Read and adopted.

CONCURRENCE CALENDAR #30

AMENDED IN THE HOUSE

Senate Bill 746 – Senator Middleton

AN ACT concerning

~~Telecommunications~~ Communications Companies – Universal Service Trust
 Fund – Surcharge

Senator Middleton moved that the Senate concur in the House amendments.

SB0746/773890/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 746

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 1, strike the first “and (c)”; in line 6, strike “3A–501(g)” and substitute “3A–501(c)”; in the same line, strike “(h)” and substitute “(d)”; and in line 11, strike “3A–501(g)” and substitute “3A–501(c) through (g)”.

AMENDMENT NO. 2

On page 2, after line 18, insert:

“(C) “COMMUNICATIONS COMPANY” MEANS A PUBLIC SERVICE COMPANY, AS DEFINED IN § 1–101 OF THE PUBLIC UTILITIES ARTICLE, OR ANY OTHER COMPANY, THAT PROVIDES A COMMUNICATIONS SERVICE.

(D) “COMMUNICATIONS SERVICE” MEANS:

(1) LANDLINE TELEPHONE SERVICE;

(2) WIRELESS OR CELLULAR TELEPHONE SERVICE; OR

(3) VOICE OVER INTERNET PROTOCOL (VOIP) SERVICE, AS DEFINED IN § 8–601 OF THE PUBLIC UTILITIES ARTICLE.”;

in line 19, strike “(c)” and substitute “(E)”; and after line 24, insert:

“[(d)] (F) “Program” means the dual party telephone relay program.

[(e)] (G) “Program participant” means a resident of the State who uses the dual party telephone relay program.

[(f)] (H) (1) “Specialized customer telephone equipment” means any communications device that enables or assists a person with a disability to communicate with others by means of the public switched telephone network or Internet protocol-enabled voice communications service.

(2) “Specialized customer telephone equipment” includes:

(i) TDD/TT/TTY;

(ii) amplifiers;

(iii) captioned telephones;

(iv) VRS equipment;

(v) cell phones;

- (vi) paggers;
- (vii) puff blow devices;
- (viii) Braille–TTY devices; and
- (ix) equipment for the mobility disabled.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 10 on page 3, inclusive.

On page 4, in line 23, strike “35” and substitute “18”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 33 Negative – 13 (See Roll Call No. 1239)

AMENDED IN THE HOUSE

Senate Bill 792 – Senators Garagiola, Glassman, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Muse, Pugh, Raskin, Robey, ~~and Young~~ Young, Middleton, and Astle

AN ACT concerning

~~State Procurement – Banking Services Preference~~ **Linked Deposit Program**
for Small Businesses – Lend Local Act of 2012

Senator Middleton moved that the Senate concur in the House amendment.

SB0792/533094/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 792 (Third Reading File Bill)

On page 7, in line 8 after the semicolon insert “and”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1240)

AMENDED IN THE HOUSE

Senate Bill 901 – Senator Klausmeier

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

Senator Middleton moved that the Senate concur in the House amendment.

SB0901/473896/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 901

(Third Reading File Bill)

On page 2, in line 25, strike “ALREADY REFUNDED TO THE BUYER” and substitute “ACTUALLY REFUNDED TO THE BUYER OR CREDITED AS A REDUCTION TO THE LOAN BALANCE”.

On page 3, in line 19, strike “ALREADY REFUNDED TO THE BORROWER” and substitute “ACTUALLY REFUNDED TO THE BORROWER OR CREDITED AS A REDUCTION TO THE LOAN BALANCE”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 1 (See Roll Call No. 1241)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #40

House Bill 509 – Delegates K. Kelly, Beitzel, Clippinger, Cluster, Dumais, Hough, McConkey, Myers, Parrott, Valentino-Smith, and Wilson

AN ACT concerning

Public Health – Inmates – HIV Testing

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1242)

The Bill was then sent to the House of Delegates.

House Bill 641 – Delegates Nathan-Pulliam, Branch, Braveboy, Burns, Costa, Elliott, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Kipke, Krebs, Morhaim, Murphy, Oaks, B. Robinson, Tarrant, ~~and V. Turner~~ V. Turner, Lee, Pena-Melnyk, Kach, Reznik, A. Kelly, and Cullison

AN ACT concerning

Hepatitis B and Hepatitis C Viruses – Public Awareness, Treatment, and Outreach

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1243)

The Bill was then sent to the House of Delegates.

House Bill 679 – Delegates Nathan-Pulliam, Braveboy, Burns, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Morhaim, Murphy, Oaks, B. Robinson, Ross, Tarrant, V. Turner, and Valderrama

AN ACT concerning

Cultural Competency and Health Literacy – Education

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1244)

The Bill was then sent to the House of Delegates.

House Bill 1009 – Delegate Hubbard

AN ACT concerning

**State Board of Professional Counselors and Therapists – Alcohol and Drug
Counselor Trainees – Registry and Code of Ethics Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1245)

The Bill was then sent to the House of Delegates.

**House Bill 1281 – Chair, Baltimore County Delegation (By Request –
Baltimore County Administration)**

AN ACT concerning

Baltimore County – Cooperative or Joint Administration of Programs

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for April 9, 2012.

The motion was adopted.

House Bill 1296 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Golf Course License

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1246)

The Bill was then sent to the House of Delegates.

House Bill 1325 – Delegate O’Donnell

AN ACT concerning

Natural Resources – Crabs – Catch Times for Trotline Gear

Senator Kittleman moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

House Bill 1327 – Delegate Lafferty

AN ACT concerning

Community Legacy Program – Sustainable Community Designation – Time Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1247)

The Bill was then sent to the House of Delegates.

House Bill 1432 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1248)

The Bill was then sent to the House of Delegates.

House Bill 1446 – Delegates Otto and McDermott

AN ACT concerning

Somerset and Worcester Counties – Deer Hunting on Private Property – Sundays

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 2 (See Roll Call No. 1249)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #41

House Bill 245 – Charles County Delegation

AN ACT concerning

Charles County – School Buses – Length of Operation

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1250)

The Bill was then sent to the House of Delegates.

House Bill 284 – Chair, Ways and Means Committee (By Request – Departmental – Education)

AN ACT concerning

Education – Children in Out-of-County Living Arrangements – Payments for Children with Disabilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1251)

The Bill was then sent to the House of Delegates.

House Bill 723 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – On-Site Sewage Disposal System and Well Easements
– Rural Zones
MC 7–12**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1252)

The Bill was then sent to the House of Delegates.

House Bill 834 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Child Abuse and Neglect – ~~Child Welfare~~ – Alternative Response

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 2 (See Roll Call No. 1253)

The Bill was then sent to the House of Delegates.

House Bill 929 – Delegates Stein, Frush, and Niemann

AN ACT concerning

Environment – Recycling Rates and Waste Diversion – Statewide Goals

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1254)

The Bill was then sent to the House of Delegates.

**House Bill 1080 – ~~Delegate Walker~~ Delegates Walker, Cardin, Frick, Hixson,
Howard, Ivey, Kaiser, A. Miller, Myers, Rosenberg, Stukes, Summers,
and F. Turner**

AN ACT concerning

Education – Student Athletes – Heat Acclimatization Guidelines

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1255)

The Bill was then sent to the House of Delegates.

House Bill 1117 – Delegates Hershey and Jameson

AN ACT concerning

**Zoning, Construction, and Stormwater – Permits and Variances – Solar
Panels**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1256)

The Bill was then sent to the House of Delegates.

**House Bill 1122 – Delegates Valderrama, Anderson, Lee, F. Turner, and
Valentino-Smith**

AN ACT concerning

Juveniles – Confinement in Juvenile Facilities – Report

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1257)

The Bill was then sent to the House of Delegates.

House Bill 1290 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Land Use

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1258)

The Bill was then sent to the House of Delegates.

House Bill 1306 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – Aquaculture Leasing

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1259)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #42

House Bill 138 – Carroll County Delegation

AN ACT concerning

Carroll County – Polling Places – Electioneering Boundaries

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1260)

The Bill was then sent to the House of Delegates.

House Bill 175 – ~~Delegates Cluster, Aumann, Boteler, Bromwell, Burns, Cardin, Frank, Impallaria, Kaeh, Lafferty, McDonough, Minnick, Morhaim, Stein, Szeliga, and Weir~~ Baltimore County Delegation

AN ACT concerning

Baltimore County Revenue Authority – Public Ethics Law

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1261)

The Bill was then sent to the House of Delegates.

House Bill 392 – Delegates Hammen, Clippinger, and McHale

AN ACT concerning

Baltimore City – Alcoholic Beverages Licenses – Memorandum of Understanding

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1262)

The Bill was then sent to the House of Delegates.

House Bill 446 – The Speaker (By Request – Administration) and Delegates Beidle, Bobo, Clippinger, Feldman, Frush, Gaines, Glenn, Hucker, McIntosh, Mitchell, Niemann, S. Robinson, and Rosenberg

AN ACT concerning

Environment – Bay Restoration Fund – Fees and Uses

FLOOR AMENDMENT

HB0446/953320/3

BY: Senator Edwards

(To be offered in the Education, Health, and Environmental Affairs Committee)

AMENDMENTS TO HOUSE BILL 446
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “date;” insert “maintaining certain Bay Restoration Fees paid by users of wastewater facilities, onsite sewage disposal systems, and sewage holding tanks that do not discharge into or are not located within the Chesapeake Bay Watershed or the Coastal Bays Watershed;”; and in line 8, after “date;” insert “maintaining certain Bay Restoration Fees for certain buildings, groups of buildings, or nonresidential users that do not discharge wastewater into the Chesapeake Bay Watershed or the Coastal Bays Watershed;”.

AMENDMENT NO. 2

On page 3, in line 16, strike the comma and substitute “:

A. \$2.50 PER MONTH IF THE WASTEWATER GENERATED BY A RESIDENTIAL DWELLING IS TREATED AT A WASTEWATER FACILITY THAT DOES NOT DISCHARGE INTO THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED;

B. \$2.50 PER MONTH IF THE ONSITE SEWAGE DISPOSAL SYSTEM OR HOLDING TANK IS NOT LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED;

C.”;

in line 17, after “month” insert “IF THE WASTEWATER GENERATED BY A RESIDENTIAL DWELLING IS TREATED AT A WASTEWATER FACILITY THAT DOES DISCHARGE INTO THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED; AND

D. \$5.00 PER MONTH IF THE WASTEWATER ONSITE SEWAGE DISPOSAL SYSTEM OR HOLDING TANK IS LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED”;

in line 26, strike the comma and substitute “:

A. \$30 PER YEAR IF THE ONSITE SEWAGE DISPOSAL SYSTEM IS NOT LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED; OR

B.”;

in the same line, after “year” insert “IF THE ONSITE SEWAGE DISPOSAL SYSTEM IS LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED”;

in line 29, strike the comma and substitute “:

A. \$30 PER YEAR IF THE SEWAGE HOLDING TANK IS NOT LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED; AND

B.”;

and in the same line, after “year” insert “IF THE SEWAGE HOLDING TANK IS LOCATED WITHIN THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED”.

On page 4, in line 1, after “A.” insert “FOR EACH EQUIVALENT DWELLING UNIT NOT EXCEEDING 2,000 EQUIVALENT DWELLING UNITS, \$2.50 PER MONTH IF THE WASTEWATER GENERATED BY A BUILDING OR GROUP OF BUILDINGS CONTAINING MULTIPLE RESIDENTIAL DWELLINGS IS TREATED AT A WASTEWATER FACILITY THAT DOES NOT DISCHARGE INTO THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED;

B.”;

in line 2, after “month” insert “IF THE WASTEWATER GENERATED BY A BUILDING OR GROUP OF BUILDINGS CONTAINING MULTIPLE RESIDENTIAL DWELLINGS IS TREATED AT A WASTEWATER FACILITY THAT DOES DISCHARGE INTO THE CHESAPEAKE BAY WATERSHED OR THE COASTAL BAYS WATERSHED”;

and in line 6, strike “B.” and substitute “C.”.

AMENDMENT NO. 3

On page 12, in line 26, strike the comma and substitute “[

A. \$2.50 per month if the wastewater generated by a residential dwelling is treated at a wastewater facility that does not discharge into the Chesapeake Bay Watershed or the Coastal Bays Watershed;

B. \$2.50 per month if the onsite sewage disposal system or holding tank is not located within the Chesapeake Bay Watershed or the Coastal Bays Watershed;

C.”;

in the same line, strike the second opening bracket; in the same line, after “month” insert “[if the wastewater generated by a residential dwelling is treated at a wastewater facility that does discharge into the Chesapeake Bay Watershed or the Coastal Bays Watershed; and

D. \$5.00 per month if the wastewater onsite sewage disposal system or holding tank is located within the Chesapeake Bay Watershed or the Coastal Bays Watershed]”;

in line 28, strike the comma and substitute “[

A. \$30 per year if the onsite sewage disposal system is not located within the Chesapeake Bay Watershed or the Coastal Bays Watershed; or

B.”;

in the same line, strike the second opening bracket; in the same line, after “year” insert “[if the onsite sewage disposal system is located within the Chesapeake Bay Watershed or the Coastal Bays Watershed]”;

in line 30, strike the comma and substitute “[

A. \$30 per year if the sewage holding tank is not located within the Chesapeake Bay Watershed or the Coastal Bays Watershed; and

B.”;

in the same line, strike the second opening bracket; and in the same line, after “year” insert “[if the sewage holding tank is located within the Chesapeake Bay Watershed or the Coastal Bays Watershed]”.

On page 13, in line 3, after “A.” insert “[For each equivalent dwelling unit not exceeding 2,000 equivalent dwelling units, \$2.50 per month if the wastewater generated by a building or group of buildings containing multiple residential dwellings is treated at a wastewater facility that does not discharge into the Chesapeake Bay Watershed or the Coastal Bays Watershed;

B.]”;

and in line 4, after “month” insert “[if the wastewater generated by a building or group of buildings containing multiple residential dwellings is treated at a wastewater facility that does discharge into the Chesapeake Bay Watershed or the Coastal Bays Watershed]”.

The preceding 3 amendments were read and adopted by a roll call vote as follows:

Affirmative – 26 Negative – 20 (See Roll Call No. 1263)

Read the third time and passed by yeas and nays as follows:

Affirmative – 28 Negative – 18 (See Roll Call No. 1264)

The Bill was then sent to the House of Delegates.

House Bill 1047 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Refillable Beer Containers Ho. Co. 10–12

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1265)

The Bill was then sent to the House of Delegates.

House Bill 1052 – Delegates Beitzel and Frush

AN ACT concerning

~~Natural Resources – Suspension of Hunting Licenses and Privileges~~
Wildlife Poaching Prevention Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1266)

The Bill was then sent to the House of Delegates.

House Bill 1123 – Delegate Mizeur

AN ACT concerning

**Environment – Presumptive Impact Areas – ~~Damage~~ Contamination Caused
by Gas Wells in Deep Shale Deposits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 1267)

The Bill was then sent to the House of Delegates.

House Bill 1196 – Delegates Ready and Pena–Melnik

AN ACT concerning

Participation in Procurement – Conflict of Interest – Exemption

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1268)

The Bill was then sent to the House of Delegates.

**House Bill 1201 – Delegates Conway, Beidle, Beitzel, Bohanan, Cane, Clagett,
Cluster, DeBoy, Eckardt, Haddaway–Riccio, Hershey, Hogan, Holmes,
Jacobs, James, McMillan, Minnick, Norman, O'Donnell, Otto, Rudolph,
Vitale, Weir, and Wood**

AN ACT concerning

**Department of Planning – State Development Plan – Use and Conflicts of
Law**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 1269)

The Bill was then sent to the House of Delegates.

House Bill 1218 – Delegate Ivey

AN ACT concerning

~~Public Charter Schools – Chartering Authorities, Application Requirements,
Employees, and Facility Funding~~
Task Force to Study the Improvement of Maryland Public Charter Schools

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1270)

The Bill was then sent to the House of Delegates.

**House Bill 1331 – Delegates Carr, Beidle, Bobo, Cane, Frush, Hucker,
Luedtke, Niemann, Reznik, S. Robinson, Stein, and Weir**

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

Read the third time and passed by yeas and nays as follows:

Affirmative – 29 Negative – 17 (See Roll Call No. 1271)

The Bill was then sent to the House of Delegates.

House Bill 1347 – Wicomico County Delegation

AN ACT concerning

**Wicomico County – Alcoholic Beverages – Class D Licenses – ~~Follow-Up
Records Checks~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1272)

The Bill was then sent to the House of Delegates.

House Bill 1368 – Delegate Schulz

AN ACT concerning

Frederick County – Middletown Wine Festival License

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1273)

The Bill was then sent to the House of Delegates.

House Bill 1436 – Delegates Conway and McDermott

AN ACT concerning

Worcester County – Alcoholic Beverages – Beer and Wine Festivals

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1274)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #43

House Bill 215 – Delegates Stukes, Anderson, Boteler, Braveboy, Burns, Carter, Clippinger, Conaway, Glenn, Gutierrez, Hammen, Harrison, Haynes, Howard, McHale, Mitchell, Tarrant, Walker, ~~and Washington~~ Washington, and O'Donnell

AN ACT concerning

Local Government – Investment in Our Youth (IO-YOuth) Programs

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1275)

The Bill was then sent to the House of Delegates.

House Bill 457 – ~~Delegate Howard~~ Delegates Howard, A. Miller, and Stukes

AN ACT concerning

Transportation – Highway Construction Training and Supportive Services

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1276)

The Bill was then sent to the House of Delegates.

House Bill 568 – Delegate Rosenberg

AN ACT concerning

Sustainable Communities Tax Credit Program – Credit Allocation

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1277)

The Bill was then sent to the House of Delegates.

House Bill 770 – Delegate Davis

~~**EMERGENCY BILL**~~

AN ACT concerning

**Public Service Commission – Electric Companies – New Generation Facilities
and Customer Credits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1278)

The Bill was then sent to the House of Delegates.

**House Bill 1254 – Delegates Vaughn, Carr, Frick, Howard, McDonough,
Minnick, Mitchell, Oaks, Reznik, Sophocleus, Stukes, Summers, and
F. Turner**

AN ACT concerning

**Small Business Development Center Network Fund – Minimum
Appropriation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1279)

The Bill was then sent to the House of Delegates.

**House Bill 1289 – Chair, Ways and Means Committee (By Request –
Departmental – Business and Economic Development)**

AN ACT concerning

**Economic Development – Qualified Distressed Counties – One Maryland
Economic Development Tax Credit**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 1280)

The Bill was then sent to the House of Delegates.

House Bill 1476 – Delegate Rudolph

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Cecil County – Lower
Susquehanna Heritage Greenway**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1281)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #68

Senate Bill 26 – Senators Klausmeier, Stone, Kittleman, and Colburn

AN ACT concerning

Commercial Gaming – Table Games – Video Lottery Facilities and Terminals

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 9 (See Roll Call No. 1282)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #31

AMENDED IN THE HOUSE

Senate Bill 130 – Senators Ferguson ~~and Gladden~~, Gladden, and Jones-Rodwell

AN ACT concerning

**Baltimore City – Nuisance Abatement and Local Code Enforcement –
Community Associations**

Senator Frosh moved that the Senate not concur in the House amendments.

SB0130/660015/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 130

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after “entry;” insert “providing that a certain housing authority in Baltimore City is not subject to an action brought under certain provisions of law;”.

AMENDMENT NO. 2

On page 6, in line 26, after the second “subdivision” insert “OR THE HOUSING AUTHORITY OF BALTIMORE CITY”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0130

SPONSOR: Sen Ferguson, et al

SUBJECT: Baltimore City – Nuisance Abatement and Local Code Enforcement –
Community Associations

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 680 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel Management System – Criminal History Records Check

Senator Middleton moved that the Senate not concur in the House amendments.

SB0680/924168/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 680

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “check;” insert “authorizing an appointing authority to require certain prospective and current employees to pay certain fees;”.

AMENDMENT NO. 2

On page 2, after line 32, insert:

“(4) THE APPOINTING AUTHORITY MAY REQUIRE THE PROSPECTIVE OR CURRENT EMPLOYEE FOR WHOM A RECORDS CHECK IS SOUGHT UNDER PARAGRAPH (1) OF THIS SUBSECTION TO PAY THE FEES DESCRIBED IN PARAGRAPH (3)(II) AND (III) OF THIS SUBSECTION.”

On page 3, in lines 1 and 6, strike “(4)” and “(5)”, respectively, and substitute “(5)” and “(6)”, respectively.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0680

SPONSOR: Chr FIN (Dept)

SUBJECT: State Personnel Management System – Criminal History Records Check

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pugh, Chairman

Senator Glassman

Senator Mathias.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0607

SPONSOR: Del Hucker, et al

SUBJECT: National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

Senator Frosh moved, duly seconded, that the Senate recede from its position.

The motion was adopted.

HB0607/798778/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 607
(Third Reading File Bill)

On page 3, in line 9, strike “\$1,000” and substitute “\$250”.

Senator Frosh moved, duly seconded, that the Senate recede on its amendments.

Senate receded and the amendment was removed.

House Bill 607 – Delegates Hucker, Aumann, Barkley, Bobo, Burns, Carr, Dumais, Elliott, Frush, Gutierrez, Haddaway-Riccio, Impallaria, A. Kelly, Kramer, Krebs, Lafferty, W. Miller, Olszewski, Pendergrass, Reznik, S. Robinson, Rudolph, Szeliga, ~~and Waldstreicher~~ Waldstreicher, Barnes, Braveboy, Davis, Feldman, Harrison, Hershey, Jameson, Love, McHale, Minnick, Schuh, Schulz, Stifler, and Vaughn

AN ACT concerning

**National Human Trafficking Resource Center Hotline Information – Sign
Posting Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 4 (See Roll Call No. 1283)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0607
SPONSOR: Del Hucker, et al
SUBJECT: National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

The Senate recedes from its position on HB 0607.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 1325 – Delegate O'Donnell

AN ACT concerning

Natural Resources – Crabs – Catch Times for Trotline Gear

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1284)

The Bill was then sent to the House of Delegates.

House Bill 724 – Delegates Kaiser, Carr, Frick, Luedtke, B. Robinson, Stocksdale, Stukes, Summers, Washington, and Zucker

AN ACT concerning

State Department of Education – School Guidance Counselors and Pupil Personnel Workers – Reporting

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1214 – Delegates Kaiser, Carr, A. Miller, and Stukes

AN ACT concerning

**Education – Public ~~High~~ Schools – Maximum Student Enrollment Policy –
Study**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT AS AMENDED.

Favorable report as amended adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 1285)

ADJOURNMENT

At 5:42 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day April 3, 2012, Calendar Day, Monday, April 9, 2012.

Annapolis, Maryland
Legislative Day: April 3, 2012
Calendar Day: Monday, April 9, 2012
10:00 A.M. Session

The Senate met at 10:16 A.M.

Prayer by Reverend Greg St. Cyr.

The Journal of April 2, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Klausmeier be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 1287)

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 292 SPONSOR: Delegate Glenn

**SUBJECT: Vehicle Laws – Provisional Driver's Licenses –
Driver Education Requirements**

THIRD READING CALENDAR HOUSE NO. 38 SENATE NO. 2

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Senate Judicial Proceedings Committee Amendments (HB0292/998070/1) be rejected.

(2) That the attached Conference Committee Amendment (HB0292/483322/1) be adopted.

HB0292/483322/1

BY: Conference Committee

AMENDMENT TO HOUSE BILL 292

(Third Reading File Bill)

On page 3, in line 16, strike “19” and substitute “14”.

On page 4, in line 9, strike “19” and substitute “14”.

Senate Members:

House Members:

Chair, **Jamie Raskin**

Chair, **James E. Malone, Jr.**

James Brochin

Cheryl D. Glenn

Christopher B. Shank

H. Wayne Norman, Jr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1288)

The Bill was then sent to the House of Delegates.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

| NUMBER | SPONSOR | CONTENT |
|--------|-------------|--|
| SB 19 | Sen. Peters | Sales and Use Tax – Exemption – Veterans’ Organizations |
| SB 23 | Sen. Reilly | Public Safety – Elevator Safety Review Board – |

| | | |
|--------|--------------------|---|
| SB 58 | Sen. Kelley | Membership Ed – Chldrn in Informal Kinship Care Rltshps – Payments for Stdts with Dsblts – Fndg |
| SB 82 | Sen. Zirkin | Maryland Automobile Insurance Fund – Claims for Bodily Injury or Death – Payment Limitation |
| SB 111 | Ch., Jud. Proceed. | Vehicle Laws – Identification Cards and Drivers' Licenses – Period of Validity |
| SB 123 | Ch., Jud. Proceed. | Real Prop – Foreclosure Sale of Residential Prop – Notice to Local Supervisor of Assessments |
| SB 128 | Ch., Jud. Proceed. | Abandoned Land – Certificates of Reservation for Public Use |
| SB 143 | Chair, EHE Com. | Education – Comprehensive Master Plans |
| SB 234 | The President | Maryland Health Improvement and Disparities Reduction Act of 2012 |
| SB 262 | Sen. Montgomery | Hlth Occups – Psychologists – Penalties for Misrepresentation and Practicing Without a License |
| SB 272 | Sen. Peters | Labor and Employment – Workplace Fraud Act – Revisions |
| SB 274 | Chair, EHE Com. | State Board of Pharmacy – Sunset Extension and Revisions |
| SB 294 | Sen. Miller | Family Farm Preservation Act of 2012 |
| SB 346 | Sen. Glassman | Harford County – Deer Hunting on Private Property – Sundays |
| SB 442 | Sen. Colburn | Program Open Space – Local Projects – Funding for Development |
| SB 456 | Sen. Middleton | Health Insurance – Health Benefit Plan Premium Rate Review |
| SB 474 | Sen. Pinsky | State Bd of Prof Cnslrs and Therapists – Certified Prof Counselor–Alcohol and Drug – Repeal |

| | | |
|---------|--------------------|---|
| SB 739 | Sen. Madaleno | Tax Credit Evaluation Act |
| SB 744 | Sen. Madaleno | Health Ins – Habilitative Services – Required Coverage, Workgroup, and Technical Advisory Grp |
| SB 749 | Sen. Middleton | Physicians – Sharing of Information with Maryland Health Care Commission |
| SB 781 | Sen. Pugh | Health Insurance – Coverage for Services Delivered Through Telemedicine |
| SB 802 | Sen. Brinkley | Frederick County – Budgetary Processes |
| SB 820 | Sen. Pipkin | Transportation – Toll, Fee, or Other Charge Increases – Required Procedures |
| SB 841 | Sen. Pinsky | St Bd of Den Exmrs – Licenses – Exam Reqmts for Dentists and Den Hygienists |
| SB 858 | Sen. Raskin | Public Library – Essential Community Service – Designation |
| SB 868 | Sen. Conway | Residential Child and Youth Care Practitioners – Certification – Modifications |
| SB 903 | Sen. Astle | Health Ins – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists |
| SB 928 | Sen. Astle | Health Ins – Fees for Administrative Services Provided by Ins Producers – Authorized |
| SB 969 | Sen. Conway | State Bd of Prof Cnslrs and Therapists – Licensure of Clinical Prof Art Therapists |
| SB 977 | Sen. Rosapepe | Transportation – Institutions of Higher Education – Bicycle and Pedestrian Access |
| SB 1003 | Sen. Middleton | Life and Health Insurance Guaranty Corporation Act – Revisions |
| SB 1082 | Sen. Forehand | Children in Need of Assistance and Child Abuse and Neglect – Sexual Abuse – Definition |
| SB 1086 | Sen. Jones–Rodwell | Income Tax – Tax Credits – |

Electronic Filing
Requirements

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #69

Senate Bill 358 – The President (By Request – Administration) and Senators Colburn, Currie, DeGrange, Garagiola, Kasemeyer, King, Madaleno, ~~Manno~~, McFadden, Middleton, Peters, Pugh, and Rosapepe

AN ACT concerning

Public–Private Partnerships

Senator Stone moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was rejected by a roll call vote as follows:

Affirmative – 8 Negative – 36 (See Roll Call No. 1289)

Read the third time and passed by yeas and nays as follows:

Affirmative – 26 Negative – 20 (See Roll Call No. 1290)

The Bill was then sent to the House of Delegates.

Senate Bill 532 – Senators Middleton, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Getty, Glassman, Jacobs, Jennings, Kittleman, Mathias, Peters, Pipkin, Reilly, Robey, Shank, and Simonaire

AN ACT concerning

**Department of Planning – State Development Plan – Use and Conflicts of
Law**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 1 (See Roll Call No. 1291)

The Bill was then sent to the House of Delegates.

Senate Bill 636 – Senator Frosh

AN ACT concerning

**Environment – Presumptive Impact Areas – ~~Damage~~ Contamination Caused
by Gas Wells in Deep Shale Deposits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 1292)

The Bill was then sent to the House of Delegates.

Senate Bill 786 – Senators Muse and Ramirez

AN ACT concerning

~~**Foreclosure Prevention and Neighborhood Stabilization Act of 2012**~~

Real Property – Foreclosures and Mediation

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1293)

The Bill was then sent to the House of Delegates.

Senate Bill 882 – Senator Jones-Rodwell

AN ACT concerning

~~**Local Government**~~ **Baltimore City – Investment in Our Youth (IO-YOUth)**
Programs Pilot Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1294)

The Bill was then sent to the House of Delegates.

**Senate Bill 988 – Senator Klausmeier (By Request – Baltimore County
Administration)**

AN ACT concerning

Baltimore County – Cooperative or Joint Administration of Programs

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 995 – Senators Brinkley, Raskin, Colburn, Currie, Forehand, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Kittleman, Madaleno, Mathias, Montgomery, Peters, Pinsky, Pugh, Robey, Rosapepe, and Zirkin

EMERGENCY BILL

AN ACT concerning

Medical Marijuana Oversight Commission – Caregivers – Certificate of Qualifying Patient

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1295)

The Bill was then sent to the House of Delegates.

Senate Bill 999 – Senator Muse

AN ACT concerning

Labor and Employment – Abusive Work Environments in State Agencies – Employee Remedies Workgroup Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1296)

The Bill was then sent to the House of Delegates.

Senate Bill 1030 – Senators Mathias, Colburn, Edwards, Glassman, Jones–Rodwell, Middleton, ~~and Raskin~~ Raskin, Klausmeier, Garagiola, Kittleman, and Pugh

AN ACT concerning

**Small Business Development Center Network Fund – Minimum
Appropriation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1297)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #44

House Bill 472 – Delegates McIntosh and Feldman

AN ACT concerning

~~**Reduction of Lead Risk in Housing – Creation of Lead Poisoning
Compensation Fund**~~
Workgroup on Lead Liability Protection for Rental Property

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1298)

The Bill was then sent to the House of Delegates.

**House Bill 520 – Delegates Nathan–Pulliam, Barkley, Braveboy, Burns, Davis,
Feldman, Harrison, Impallaria, Jameson, Jones, Kramer, Love, McHale,
Minnick, Oaks, Olszewski, B. Robinson, Schuh, Stukes, Tarrant, and
Vaughn**

EMERGENCY BILL

AN ACT concerning

**Electric Companies – Contact Voltage – Surveys and Mitigation – The Deanna
Camille Green Act of 2012**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1299)

The Bill was then sent to the House of Delegates.

**House Bill 1101 – The Speaker (By Request – Administration) and Delegates
Barkley, Barnes, Guzzone, Hucker, Ivey, Malone, McHale, Ross,
Valentino–Smith, and Vaughn**

AN ACT concerning

Workers' Compensation – Medical Presumptions

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 5 (See Roll Call No. 1300)

The Bill was then sent to the House of Delegates.

House Bill 1269 – Delegates Barnes, Davis, and Hucker

AN ACT concerning

~~**Public Utilities – Consumer Relations – Public Service Commission – Study**~~
on Tenant Payment of Landlord Utility Bills

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1301)

The Bill was then sent to the House of Delegates.

House Bill 1272 – Delegates A. Miller, Cullison, Reznik, S. Robinson, and Washington

AN ACT concerning

Public Health – Electronic Cigarettes – Distribution to Minors Prohibited

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1302)

The Bill was then sent to the House of Delegates.

House Bill 1372 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Commercial Fishing Licenses, Authorizations, and Permits

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1303)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #45

House Bill 724 – Delegates Kaiser, Carr, Frick, Luedtke, B. Robinson, Stocksdales, Stukes, Summers, Washington, and Zucker

AN ACT concerning

State Department of Education – School Guidance Counselors and Pupil Personnel Workers – Reporting

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1304)

The Bill was then sent to the House of Delegates.

House Bill 1214 – Delegates Kaiser, Carr, A. Miller, and Stukes

AN ACT concerning

Education – Public ~~High~~ Schools – Maximum Student Enrollment Policy – Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1305)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 708 – Delegates Valentino-Smith, Alston, Braveboy, Bromwell, Carter, Gaines, Glenn, Gutierrez, Healey, K. Kelly, McDermott, Minnick, B. Robinson, Smigiel, Valderrama, Vallario, and Waldstreicher

AN ACT concerning

**Criminal Procedure – Expungement of Criminal Charge Transferred to
Juvenile Court**

FOR the purpose of altering provisions relating to the expungement of certain criminal records by authorizing a person to file, and requiring a court to grant, a petition for expungement of a criminal charge transferred to the juvenile court under a certain provision of law; repealing a certain obsolete definition; and generally relating to the expungement of certain criminal charges transferred to the juvenile court.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 4–202 and 4–202.2
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–106
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 747 – Delegate Beitzel

EMERGENCY BILL

SECOND PRINTING

AN ACT concerning

Garrett County – County Commissioners – Wind Energy Conversion Systems

FOR the purpose of requiring that certain wind energy conversion systems comply with certain setback requirements; authorizing certain variances under certain circumstances; requiring that before a permit is issued for certain wind energy conversion systems, the Garrett County Department of Planning and Land Development retain a certain professional engineer to prepare a certain cost estimate and require the applicant to post a certain bond; requiring that the bond be held as surety for certain purposes; requiring, on completion of the construction of certain wind energy conversion systems and on a certain periodic basis, the Department to retain a certain professional engineer for certain purposes; authorizing the Department to alter the amount of a certain bond under certain circumstances; providing for the release of a bond under certain circumstances; authorizing the Department to require a certain owner to decommission and restore a certain pad site under certain circumstances;

authorizing the use of a certain bond under certain circumstances; defining certain terms; providing that a certain rule, regulation, law, or ordinance for zoning of wind energy conversion systems supersedes this Act; providing for the application of this Act; providing for the termination of this Act; making this Act an emergency measure; and generally relating to wind turbines in Garrett County.

BY adding to

Article 25 – County Commissioners
Section 236G
Annotated Code of Maryland
(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

House Bill 1155 – Delegates Frick, Carr, Hixson, Hucker, A. Kelly, Lee, Mizeur, and Waldstreicher

AN ACT concerning

**Income Tax – Subtraction Modification – Land Acquisition for
~~Transportation-Related Projects~~ Department of Transportation**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for the amount of a gain resulting from a payment by the ~~State Highway Administration~~ Maryland Department of Transportation for the acquisition of a portion of an individual's property ~~for use in certain transportation projects on which the individual's principal residence is located~~; limiting the subtraction to a certain amount; providing for the application of this Act; and generally relating to an income tax subtraction modification for gain resulting from certain payments by the ~~State Highway Administration~~ Maryland Department of Transportation.

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General
Section 10–207(y)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #7

Nominee No. S–29, Walter E. Woodford, Jr., member of the Maryland Transportation Authority

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATION OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nomination of the Executive?”

Senator DeGrange moved, duly seconded, to make the nomination a Special Order for the end of today’s business.

The motion was adopted.

House Bill 130 – Delegates Arora, Conaway, McComas, McDermott, McMillan, Mitchell, and Washington

AN ACT concerning

Laser Safety Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator King moved, duly seconded, to make the Bill and Report a Special Order for the end of today’s business.

The motion was adopted.

House Bill 701 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Board of Education – Student Member – Voting
MC 9–12**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Dyson moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 159 – Delegates Afzali, Barkley, Clagett, Elliott, Feldman, Gaines, Glass, Hershey, Hogan, Ivey, Jacobs, A. Kelly, Krebs, Luedtke, McComas, McDermott, McHale, A. Miller, Myers, Niemann, Otto, Parrott, Ready, Ross, Schulz, Sophocleus, Walker, and Wilson

AN ACT concerning

Agriculture – Maryland Standard of Identity for Honey

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Brinkley moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

House Bill 190 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Noise Control

STATUS OF BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1306)

The Bill was then sent to the House of Delegates.

House Bill 1407 – ~~Delegate Walker~~ Delegates Walker, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, and Tarrant

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Muse moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 283 – Chair, Health and Government Operations Committee and Delegate Elliott

AN ACT concerning

State Board of Pharmacy – Sunset Extension and Revisions

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1307)

The Bill was then sent to the House of Delegates.

House Bill 824 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – ~~Sunset Extension and Program Evaluation~~ Appointment and Term of Chair

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1308)

The Bill was then sent to the House of Delegates.

House Bill 1304 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Animal Waste Technology Fund

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1309)

The Bill was then sent to the House of Delegates.

**House Bill 1305 – Chair, Environmental Matters Committee (By Request –
Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Authority to Establish Free Fishing
Areas**

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1310)

The Bill was then sent to the House of Delegates.

House Bill 579 – Delegate Elliott

AN ACT concerning

Public Safety – Regulated Firearms – Exemption from Training Course

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Reilly moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1316 – Delegates Hershey, DeBoy, and Malone

AN ACT concerning

Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Read the second time and ordered prepared for Third Reading.

House Bill 1387 – Delegate Murphy

AN ACT concerning

Charles County – Winery Special Event Permits – Farmers’ Markets

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Read the second time and ordered prepared for Third Reading.

House Bill 879 – Delegate Morhaim

AN ACT concerning

Environment – Statewide Electronics Recycling Program

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Garagiola moved, duly seconded, to make the Bill and Report a Special Order for the end of today’s business.

The motion was adopted.

House Bill 764 – Delegates Frick, Afzali, Arora, Bobo, Carr, Clagett, DeBoy, Hixson, Howard, Lafferty, Luedtke, McMillan, Mizeur, Pendergrass, Stein, Stocksdales, Summers, ~~and Zucker~~ Zucker, and A. Miller

AN ACT concerning

Tax Credit Evaluation Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB0764/759438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 764

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 2 and 3, strike in their entirety the lines beginning with line 19 on page 2 through line 12 on page 3, inclusive.

On page 3, in line 22, after “(A)” insert:

“(1) IF A TAX CREDIT HAS A TERMINATION DATE PROVIDED FOR BY LAW, AN EVALUATION SHALL BE MADE OF THAT CREDIT ON OR BEFORE JULY 1 OF THE YEAR PRECEDING THE CALENDAR YEAR OF THE TERMINATION DATE.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, AN EVALUATION SHALL BE MADE OF THE TAX CREDITS ON OR BEFORE THE DATES SPECIFIED IN SUBSECTIONS (B) THROUGH (E) OF THIS SECTION.

(B)”.

and in line 26, after “ZONE);” insert “AND

(2) TITLE 6, SUBTITLE 4 OF THE ECONOMIC DEVELOPMENT ARTICLE, § 6–119 OF THE INSURANCE ARTICLE, AND § 10–714 OF THIS ARTICLE (ONE MARYLAND ECONOMIC DEVELOPMENT).”.

On pages 3 and 4, strike in their entirety the lines beginning with line 27 on page 3 through line 14 on page 4, inclusive.

On page 4, in line 15, strike “(B)” and substitute “(C)”; and after line 16, insert:

“(1) § 10–704 OF THIS ARTICLE (EARNED INCOME); AND

(2) § 10–730 OF THIS ARTICLE (FILM PRODUCTION ACTIVITY).”.

On pages 4 and 5, strike in their entirety the lines beginning with line 17 on page 4 through line 3 on page 5, inclusive.

On page 5, in line 4, strike “(C)” and substitute “(D)”; after line 5, insert:

“(1) § 5A–303 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, § 6–105.2 OF THE INSURANCE ARTICLE, AND § 10–704.5 OF THIS ARTICLE (SUSTAINABLE COMMUNITIES); AND

(2) § 10-721 OF THIS ARTICLE (QUALIFIED RESEARCH AND DEVELOPMENT EXPENSES).”;

strike beginning with “(1)” in line 6 down through “RESOURCES).” in line 22; in line 23, strike “(D)” and substitute “(E)”; and after line 24, insert:

“(1) § 9-230 OF THE TAX – PROPERTY ARTICLE, § 6-116 OF THE INSURANCE ARTICLE, AND § 10-704.8 OF THIS ARTICLE (NEW JOB CREATING BUSINESSES); AND

(2) § 10-726 OF THIS ARTICLE (BIOTECHNOLOGY INVESTMENT INCENTIVE).”.

On pages 5 and 6, strike in their entirety the lines beginning with line 25 on page 5 through line 7 on page 6, inclusive.

AMENDMENT NO. 2

On page 6, in line 24, strike “AND”; and after line 25, insert:

“(IV) THE SECRETARY, OR THE SECRETARY’S DESIGNEE, OF THE DEPARTMENT THAT ADMINISTERS THE TAX CREDIT UNDER EVALUATION; AND”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1281 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Cooperative or Joint Administration of Programs

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

AMENDED IN THE HOUSE

Senate Bill 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

STATUS OF BILL: QUESTION IS: “SHALL THE SENATE CONCUR IN THE HOUSE AMENDMENTS?”

Senator Conway moved that the Senate concur in the House amendments.

SB0236/840412/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 236

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “authorizing” in line 29 down through “circumstances” in line 33.

On page 3, in line 2, after “Commission;” insert “requiring the Department of the Environment to propose certain regulations by a certain date; requiring the Department of the Environment to consult with certain counties and stakeholders in drafting certain proposed regulations; requiring the Department of the Environment to brief certain committees of the General Assembly on certain proposed regulations; requiring the Department of Planning, in consultation with the Department of the Environment, to submit a certain report to the General Assembly by a certain date;”.

AMENDMENT NO. 2

On page 12, in line 26, after “A” insert “RESIDENTIAL”; and in the same line, strike “RESIDENTIAL”.

On page 13, in line 1, after “A” insert “RESIDENTIAL”; in the same line, strike “RESIDENTIAL”; in line 7, after “SECTION” insert “AND SUBJECT TO SUBSECTION (I) OF THIS SECTION”; and in line 25, strike “1.05” and substitute “1.06”.

On page 17, in line 3, after “A” insert “RESIDENTIAL”; and in the same line, strike “RESIDENTIAL”.

AMENDMENT NO. 3

On page 14, in line 27, after “DEPARTMENT” insert “AND THE DEPARTMENT MAY APPROVE”; and in line 28, strike “DETERMINED” and substitute “RECOMMENDED”.

AMENDMENT NO. 4

On page 18, strike beginning with “AND” in line 24 down through “SECTION” in line 25.

On pages 18 and 19, strike in their entirety the lines beginning with line 30 on page 18 through line 15 on page 19, inclusive.

On page 19, in line 16, strike “(N) (1)” and substitute “(2)”; in lines 17 and 18, strike “AS PROVIDED IN THIS SECTION,”; in lines 21, 24, and 28, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

On page 27, in line 22, strike the comma.

AMENDMENT NO. 5

On page 28, in line 30, strike “PROVIDE DOCUMENTATION TO THE DEPARTMENT OF PLANNING OF” and substitute “DOCUMENT”.

On page 45, in lines 24 and 25, strike “PROVIDE DOCUMENTATION TO THE DEPARTMENT OF PLANNING OF” and substitute “DOCUMENT”.

AMENDMENT NO. 6

On page 32, strike in their entirety lines 14 and 15; in line 16, strike “(6)” and substitute “(5)”; and after line 20, insert:

“(6) “SHARED FACILITY” HAS THE MEANING STATED IN § 9-206 OF THE ENVIRONMENT ARTICLE.”.

On page 49, strike in their entirety lines 12 and 13; in line 14, strike “(6)” and substitute “(5)”; and after line 18, insert:

“(6) “SHARED FACILITY” HAS THE MEANING STATED IN § 9-206 OF THE ENVIRONMENT ARTICLE.”.

AMENDMENT NO. 7

On page 36, in line 22, strike “(G)” and substitute “(g)”; in the same line, strike “(H)(2)” and substitute “(f)(2)”; in line 23, strike beginning with “, the” through “approve” and substitute “and subject to subsection (i) of this section, a local jurisdiction may authorize”; in line 24, strike “ONLY” and substitute “only”; strike beginning with the comma in line 27 down through “subdivision” in line 28; and in line 29, strike “1.05” and substitute “1.06”.

On pages 36 and 37, strike beginning with the semicolon in line 30 on page 36 down through “**ARTICLE**” in line 3 on page 37.

On page 37, strike lines 13 through 20, inclusive.

AMENDMENT NO. 8

On page 48, in line 26, strike “**DEVELOPMENT REGULATIONS ELEMENT OF THE**”; in the same line, after “**PLAN**” insert “**OR AN ELEMENT OF THE PLAN**”; in lines 31 and 32, strike “**DEVELOPMENT REGULATIONS ELEMENT OF THE**”; and in line 32, after “**PLAN**” insert “**OR AN ELEMENT OF THE PLAN**”.

AMENDMENT NO. 9

On page 52, after line 2, insert:

“SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) on or before December 31, 2012, the Department of the Environment shall propose regulations that establish nutrient offset requirements for new residential major subdivisions within Tier III areas that are to be served by on-site sewage disposal systems or shared systems;

(b) the Department shall consult with the counties and other stakeholder groups during the drafting of the proposed regulations required under subsection (a) of this section;

(c) the Department shall brief the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee before the submission of the proposed regulations required under subsection (a) of this section to the Joint Committee on Administrative, Executive, and Legislative Review; and

(d) this section does not apply to, or limit the ability of the Department to develop nutrient trading and offset programs related to Maryland's Chesapeake Bay TMDL Watershed Implementation Plan.

SECTION 9. AND BE IT FURTHER ENACTED, That, on or before February 1, 2013, the Department of Planning, in consultation with the Department of the Environment, shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(a) the adoption of the tiers, as provided in Article 66B, § 1.05 of the Code and Title 1, Subtitle 5 of the Land Use Article, as enacted by this Act, by each local jurisdiction, including mapped areas of the tiers;

(b) each jurisdiction that has adopted or altered a local ordinance or regulation in implementing the provisions of this Act, including a description of the adopted or altered local ordinance or regulation; and

(c) each jurisdiction for which the Department of Planning has provided comments on any of the tiers or an area within one of the tiers under Article 66B, § 1.05 of the Code and § 1-505 of the Land Use Article, as enacted by this Act.”;

in line 3, strike “8.” and substitute “10.”; in line 7, strike “9.” and substitute “11.”; and in line 8, strike “8” and substitute “10”.

The preceding 9 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 1311)

House Bill 365 – Delegates Mitchell, Glenn, Anderson, Branch, Carter, Clippinger, Conaway, Hammen, Haynes, McHale, McIntosh, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington

AN ACT concerning

**Baltimore City – Nuisance Abatement and Local Code Enforcement –
Community Associations**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE CONFERENCE COMMITTEE REPORT.

BILL NO.: **HB 365** SPONSOR: **Delegate Mitchell**

**SUBJECT: Baltimore City – Nuisance Abatement and Local
Code Enforcement – Community Associations**

THIRD READING CALENDAR HOUSE NO. **13** SENATE NO. **2**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the Judicial Proceedings Committee Amendments (HB0365/628271/1) be rejected.

Senate Members:

House Members:

Chair, **Lisa A. Gladden**

Chair, **Cheryl D. Glenn**

James Brochin

Anne Healey

Brian E. Frosh

Patrick N. Hogan

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Senator Gladden moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #35

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 664 – Delegates Simmons, Dumais, K. Kelly, Kramer, and Krebs

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

HB0664/608574/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 664

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Penalties” and substitute “Enhanced Penalty”; in line 4, strike “prohibiting” and substitute “enhancing the penalty for”; in the same line, strike “from committing” and substitute “who commits”; in line 7, strike “establishing certain penalties for a violation of this Act;”; in line 8, strike “a sentence” and substitute “an enhanced penalty”; in line 9, after “Act;” insert “providing that, to impose a certain enhanced penalty, the State must provide the defendant with a certain notice within a certain period before trial and prove certain elements beyond a reasonable doubt;”; in line 10, strike “violates” and substitute “receives an enhanced penalty under”; and in line 11, after “purposes;” insert “defining a certain term;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 21 through 31, inclusive, and substitute:

“(A) IN THIS SECTION, “MINOR” MEANS A CHILD WHO IS AT LEAST 2 YEARS OLD AND UNDER THE AGE OF 16 YEARS.

“(B) (1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A PERSON WHO IS CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN § 5–101 OF THE

PUBLIC SAFETY ARTICLE COMMITTED IN A RESIDENCE WHEN THE PERSON KNEW OR REASONABLY SHOULD HAVE KNOWN THAT A MINOR WAS PRESENT IN THE RESIDENCE IS SUBJECT TO AN ENHANCED PENALTY OF UP TO 5 YEARS.

(2) FOR THE PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION, A MINOR IS PRESENT IF THE MINOR IS WITHIN SIGHT OF THE CRIME OF VIOLENCE.

(C) FOR AN ENHANCED PENALTY TO BE IMPOSED UNDER THIS SECTION:

(1) AT LEAST 30 DAYS BEFORE TRIAL, THE STATE SHALL GIVE WRITTEN NOTICE TO THE DEFENDANT OF THE STATE’S INTENTION TO SEEK THE ENHANCED PENALTY; AND

(2) EACH ELEMENT OF THE CIRCUMSTANCES DESCRIBED IN SUBSECTION (A) OF THIS SECTION MUST BE PROVEN BEYOND A REASONABLE DOUBT.

(D) IF THE DEFENDANT IS CHARGED BY INFORMATION OR INDICTMENT THE STATE MAY INCLUDE THE WRITTEN NOTICE DESCRIBED IN SUBSECTION (C)(1) OF THIS SECTION IN THE INFORMATION OR INDICTMENT.”.

AMENDMENT NO. 3

On page 3, in line 1, strike “(C)” and substitute “(E)”; in the same line, strike “A SENTENCE” and substitute “AN ENHANCED PENALTY”; in line 4, strike “(D)” and substitute “(F)”; and in the same line, strike “VIOLATES” and substitute “RECEIVES AN ENHANCED PENALTY UNDER”.

The preceding 3 amendments were read only.

Senator Kittleman moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 924 – Delegate Beitzel

AN ACT concerning

Vehicle Laws – Local Authority – Use of Highways by Snowmobiles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1326 – Delegate Norman

AN ACT concerning

**Harford County – Disposition of Fee for Performing Marriage Ceremony –
Funds for Historical Society**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #32

AMENDED IN THE HOUSE

Senate Bill 531 – Senator Middleton

AN ACT concerning

**Property and Casualty Insurance – Underwriting Period – Discovery of
Material Risk Factor**

Senator Middleton moved that the Senate concur in the House amendment.

SB0531/963229/1

BY: Delegate Rudolph

AMENDMENT TO SENATE BILL 531

(Third Reading File Bill)

On page 6, in lines 6 and 8, in each instance, strike “January” and substitute “October”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1312)

AMENDED IN THE HOUSE

Senate Bill 540 – ~~Senator Astle~~ Senators Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Pugh

AN ACT concerning

Maryland Health Care Commission – Preauthorization of ~~Medical Services and Pharmaceuticals – Standards~~ Health Care Services – Benchmarks

Senator Middleton moved that the Senate concur in the House amendments.

SB0540/146180/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 540
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 19 and 20, strike “to certain committees of”.

AMENDMENT NO. 2

On page 7, in lines 7 and 8, strike “SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE” and substitute “GENERAL ASSEMBLY,”; and in lines 19 and 20, strike “SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE” and substitute “GENERAL ASSEMBLY”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1313)

AMENDED IN THE HOUSE

Senate Bill 929 – Senators Astle, Conway, Ferguson, Gladden, Klausmeier, Young, ~~and Zirkin~~ Zirkin, Mathias, Muse, and Pugh

EMERGENCY BILL

AN ACT concerning

The Deanna Camille Green Act of 2012

Senator Middleton moved that the Senate concur in the House amendment.

SB0929/543395/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 929

(Third Reading File Bill)

On page 1, in line 2, before “The” insert “Electric Companies – Contact Voltage – Surveys and Mitigation –”; in lines 6 and 7, strike “, on a certain approval.”; and in line 8, after “times” insert “and under certain circumstances”.

On page 2, in line 12, strike “after” and substitute “before”.

On page 4, in line 23, strike “PART OF THE”; in line 25, strike “ELECTRIC COMPANY OWNED OR MAINTAINED”; in line 26, after “STREETLIGHTS” insert “OWNED OR MAINTAINED BY THE ELECTRIC COMPANY”; in line 27, strike “MUNICIPAL OR GOVERNMENT OWNED”; in line 28, strike “, IF” and substitute “OWNED BY A MUNICIPAL CORPORATION OR OTHER UNIT OF GOVERNMENT, WITH”; in lines 29 and 31, in each instance, strike “IS RECEIVED”; in line 29, strike “OR” and substitute “AND”; and in line 30, strike “, IF” and substitute “WITH”.

On page 6, in line 16, strike “THERE ARE”; and in the same line, after “CIRCUMSTANCES” insert “EXIST”.

On page 7, in line 15, strike “WARRANT” and substitute “REQUIRE”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1314)

MESSAGE TO THE SENATE

BILL: SB 0745

SPONSOR: Sen Middleton, et al

SUBJECT: Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Middleton, Chair

Senator Kelley

Senator Klausmeier

The House appoints:

Delegate Rudolph, Chairman

Delegate Davis, and

Delegate Jameson.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 0865

SPONSOR: Del Pena–Melnyk, et al

SUBJECT: State Procurement – Disclosure – Location of the Performance of Services

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Pena–Melnik, Chairman
Delegate Oaks, and
Delegate Ready.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0865
SPONSOR: Del Pena–Melnik, et al
SUBJECT: State Procurement – Disclosure – Location of the Performance of Services

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Pena–Melnik, Chair
Delegate Oaks
Delegate Ready

The Senate appoints:
Senator Pinsky, Chairman
Senator Reilly
Senator Montgomery.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0762

SPONSOR: Del Dumais

SUBJECT: Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Clippinger, Chairman

Delegate Lee, and

Delegate McComas.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0762

SPONSOR: Del Dumais

SUBJECT: Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Clippinger, Chair
Delegate Lee
Delegate McComas

The Senate appoints:
Senator Raskin, Chairman
Senator Getty
Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **SB 0134**
SPONSOR: Sen Conway
SUBJECT: State Real Estate Commission – Sunset Extension and Program Evaluation

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments and respectfully requests the Senate to reconsider and concur.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Davis, Chairman
Delegate Jameson, and
Delegate Schulz.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0134

SPONSOR: Sen Conway

SUBJECT: State Real Estate Commission – Sunset Extension and Program Evaluation

The Senate still does not concur in the House amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Davis, Chair

Delegate Jameson

Delegate Schulz

The Senate appoints:

Senator Conway, Chairman

Senator Ferguson

Senator Reilly.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: SB 0659

SPONSOR: Sen Pinsky, et al

SUBJECT: State Procurement – Preference and Disclosure – Location of the Performance of Services

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments and respectfully requests the Senate to reconsider and concur.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Pena–Melnik, Chairman
Delegate Oaks, and
Delegate Ready.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB 0659

SPONSOR: Sen Pinsky, et al

SUBJECT: State Procurement – Preference and Disclosure – Location of the Performance of Services

The Senate still does not concur in the House amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Pena–Melnik, Chair
Delegate Oaks
Delegate Ready

The Senate appoints:
Senator Pinsky, Chairman
Senator Reilly
Senator Montgomery.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 161 – ~~Delegates George, Barnes, Beidle, Frush, Kipke, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

Courts and Judicial Proceedings – Circuit Court for Anne Arundel County – Fees for Appearance of Counsel

FOR the purpose of altering certain appearance of counsel fees collected or charged by the Clerk of the Circuit Court for Anne Arundel County; ~~authorizing the Clerk of the Circuit Court for Anne Arundel County to collect a certain appearance of counsel fee;~~ and generally relating to certain appearance of counsel fees.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7-204(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 866 – Delegate Feldman

AN ACT concerning

Title Insurance – Closing or Settlement Protection Practices – Study

FOR the purpose of requiring ~~certain domestic title insurers to establish and maintain a certain reserve for certain losses arising from closing or settlement protection; authorizing the amount in reserve to be released in certain amounts under certain circumstances; authorizing a domestic title insurer to withdraw the entire reserve under certain circumstances; requiring a certain notice to include certain information about certain closing or settlement protection; authorizing a~~

~~method to cure a certain failure to obtain a certain notice; requiring a title insurer to provide certain closing or settlement protection to a certain protected party in a certain transaction; requiring the closing or settlement protection to indemnify certain persons against certain actions and failures in connection with certain transactions; limiting the extent of a certain indemnification; prohibiting the indemnification from being provided for certain losses or impairments; requiring certain title insurers to file for approval by the Maryland Insurance Commissioner of a certain premium; establishing a minimum amount of the premium; providing that the premium may not be subject to a certain agreement; authorizing a title insurer to provide a certain statement of coverage; prohibiting a title insurer from providing certain other coverage for a certain indemnification; requiring certain title insurers to file a certain initial premium on or before a certain date; providing for the application of this Act; providing for the effective dates of this Act; the Maryland Insurance Commissioner to study closing or settlement protection practices of the title insurance industry and to make certain recommendations; requiring the Commissioner to consider certain matters in conducting the study; authorizing the Commissioner to consult with certain persons and entities in conducting the study; requiring the Commissioner to report certain findings and recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to title insurance protection a study of closing and settlement protection practices of the title insurance industry.~~

~~BY adding to~~

~~Article Insurance
Section 5-207 and 22-104
Annotated Code of Maryland
(2011 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~

~~Article Insurance
Section 22-102
Annotated Code of Maryland
(2011 Replacement Volume)~~

Read the first time and referred to the Committee on Rules.

House Bill 947 – Delegates F. Turner, Afzali, Boteler, Branch, Glass, Howard, Ivey, Luedtke, A. Miller, Stukes, Summers, and Walker

SECOND PRINTING

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

FOR the purpose of ~~repealing a restriction that limits to a certain calendar year~~ authorizing for certain calendar years the use of certain Purse Dedication Account funds for operating assistance by the Ocean Downs Race Course and Rosecroft Raceway to support a minimum of a certain number of live racing days at each of these race courses; authorizing the use of certain revenues from the Purse Dedication Account for certain operating expenses at certain racetracks; placing certain conditions on the receipt of certain grants from the Purse Dedication Account; requiring certain racing licensees to provide certain information to the Secretary of Labor, Licensing, and Regulation under certain circumstances; prohibiting certain funds from being used to contribute to a campaign finance entity or make an independent expenditure; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the use of Purse Dedication Account funds by the Ocean Downs Race Course and Rosecroft Raceway for operating assistance.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–28(e), (f), and (h)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–28(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY renumbering
Article – State Government
Section 9–1A–28(g) and (h), respectively
to be Section 9–1A–28(i) and (j), respectively
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Chapter 412 of the Acts of the General Assembly of 2011)

BY adding to
Article – State Government
Section 9–1A–28(g) and (h)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Chapter 412 of the Acts of the General Assembly of 2011)

Read the first time and referred to the Committee on Rules.

CONCURRENCE CALENDAR #33

AMENDED IN THE HOUSE

Senate Bill 167 – Senator Currie

AN ACT concerning

Tax Credits for Qualifying Employees with Disabilities – Sunset Repeal

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0167/265163/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 167

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Repeal” and substitute “Extension”; and in line 3, strike “repealing” and substitute “extending”.

AMENDMENT NO. 2

On page 2, in lines 15, 16, 18, 21, 23, 26, 33, 34, 36, and 39, in each instance, strike the bracket; in line 16, strike “2015” and substitute “**2016**”; in line 18, strike “2012” and substitute “**2013**”; in line 21, strike “2015” and substitute “**2016**”; in line 24, strike “14” and substitute “**15**”; in the same line, strike “2012” and substitute “**2013**”; in line 34, strike “2015” and substitute “**2016**”; in line 36, strike “2012” and substitute “**2013**”; and in line 39, strike “2015” and substitute “**2016**”.

On page 3, in lines 2 and 5, in each instance, strike the bracket; in line 3, strike “14” and substitute “**15**”; and in the same line, strike “2012” and substitute “**2013**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1315)

AMENDED IN THE HOUSE

Senate Bill 477 – Senators Klausmeier, Kittleman, Astle, Colburn, DeGrange, Forehand, Kasemeyer, Middleton, Robey, Rosapepe, ~~and Stone~~ Stone, Brinkley, Currie, Edwards, Jones–Rodwell, King, Madaleno, Manno, and Peters

AN ACT concerning

Job Creation Tax Credit – Amount of Credit and Termination Provisions

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0477/645169/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 477

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Amount of Credit and”; in line 3, strike “determination of the amount” and substitute “termination provisions”; strike beginning with “altering” in line 5 down through “Act,” in line 6; in line 10, after “6–301(e)” insert “and 6–304(b)”; and in line 15, strike “6–304(b) and”.

AMENDMENT NO. 2

On page 2, in lines 17, 20, 24, and 27, in each instance, strike the brackets; and in lines 17, 20, 24, and 27, strike “**\$3,000**”, “**7.5%**”, “**\$4,500**”, and “**15%**”, respectively.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 21 through 24, inclusive; and in line 25, strike “3.” and substitute “2.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1316)

AMENDED IN THE HOUSE

Senate Bill 666 – Carroll County Senators

AN ACT concerning

Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0666/885668/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 666

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, strike “(I)” ; in line 3, strike “CONTINUING CARE” and substitute “COMMUNITY OR”; in line 5, before “1.” insert “(I)” ; in line 8, strike “AND”; in line 9, after “AGING” insert “; AND”

4. IS EXEMPT FROM FEDERAL INCOME TAX UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE OR IS OWNED OR OPERATED BY A PERSON THAT IS EXEMPT FROM FEDERAL INCOME TAX UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE; OR

(II) OFFERS AN AGE-RESTRICTED LIFE OCCUPANCY AGREEMENT AND REQUIRES PAYMENT OF AN ENTRANCE FEE”;

and strike in their entirety lines 10 through 12, inclusive.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1317)

AMENDED IN THE HOUSE

**Senate Bill 807 – Senators Madaleno, Brinkley, Colburn, Currie, Glassman, Jones–Rodwell, Manno, Montgomery, Peters, Ramirez, ~~and Raskin~~
Raskin, and McFadden**

AN ACT concerning

**Income Tax – Subtraction Modification – Land Acquisition for
~~Transportation–Related Projects~~ Department of Transportation**

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0807/485263/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 807
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “for” insert “the amount of a gain resulting from”; in line 6, after “property” insert “on which the individual’s principal residence is located”; in line 7, after the first semicolon insert “limiting the subtraction modification to a certain amount”; and in line 8, after “for” insert “gain resulting from”.

AMENDMENT NO. 2

On page 2, in line 8, strike “**THE**” and substitute:

“(1) IN THIS SUBSECTION, “PRINCIPAL RESIDENCE” HAS THE MEANING STATED IN § 121 OF THE INTERNAL REVENUE CODE.

“(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE”; in line 9, after “INCLUDES” insert “THE AMOUNT OF A GAIN RESULTING FROM”; and in line 11, after “PROPERTY” insert “ON WHICH THE INDIVIDUAL’S PRINCIPAL RESIDENCE IS LOCATED”; and after line 12, insert:

“(3) THE AMOUNT SUBTRACTED UNDER THIS SUBSECTION MAY NOT EXCEED THE AMOUNT THAT MAY BE EXCLUDED FROM INCOME ON THE CONDEMNATION OF AN INDIVIDUAL’S PRINCIPAL RESIDENCE UNDER § 121 OF THE INTERNAL REVENUE CODE.”

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1318)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 1319)

ADJOURNMENT

At 11:51 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 1:15 P.M. on Legislative Day April 4, 2012, Calendar Day, Monday, April 9, 2012.

Annapolis, Maryland
Legislative Day: April 4, 2012
Calendar Day: Monday, April 9, 2012
2:30 P.M. Session

The Senate met at 2:39 P.M.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 1321)

Prayer by Reverend Greg St. Cyr.

The Journal of April 3, 2012 was read and approved.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

| NUMBER | SPONSOR | CONTENT |
|--------|--------------------|---|
| SB 130 | Sen. Ferguson | Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations |
| SB 354 | Sen. Jones–Rodwell | Baltimore City – Alcoholic Beverages – Licenses |
| SB 994 | Sen. Brinkley | Environment – Temporary Dewatering Devices and Well Drilling – Notification to Municipalities |

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 1166 – Delegate Love

AN ACT concerning

Gaming – ~~Instant Bingo~~ – Electronic Machines – Regulation

FOR the purpose of authorizing the operation of certain electronic instant bingo games using electronic machines; providing that the electronic instant bingo machines must have been in operation during a certain period or that the machines be in operation under a commercial bingo license on a certain date; prohibiting the operation of more than a certain number of electronic instant bingo machines than were in operation on a certain date; requiring the conduct of the gaming and the operation of certain electronic instant bingo machines to be consistent with certain provisions of law; clarifying that certain slot machines located in certain counties are not subject to certain provisions of law; altering the definition of “slot machine” to include a certain machine, apparatus, or device regardless of the manner in which it delivers a game and to exclude certain skills-based amusement devices; clarifying that a certain handheld device is not considered a slot machine; requiring the Office of the Attorney General, the State Lottery Commission, the Department of State Police, and local law enforcement units to construe certain statutory provisions in a certain manner; making a certain decision by the State Lottery Commission a final determination as to whether a certain electronic gaming device is legal and being operated in a lawful manner; authorizing the State Lottery Commission to refer certain matters for enforcement to the Department of State Police under certain circumstances; requiring the Commission to certify and regulate the operation, ownership, and manufacture of certain electronic gaming devices; stating that a gaming device that is not licensed or otherwise operated in compliance with certain provisions of law as of a certain date may not legally operate in the State; requiring the Commission to adopt certain regulations related to the approval and licensing of certain electronic gaming devices; specifying that certain provisions of law do not apply to ~~tip jar gaming and paper tip jar gaming~~ where authorized; authorizing the Commission to make certain determinations and charge certain fees; altering the purpose of the Special Fund for Preservation of Cultural Arts in Maryland; requiring that the Fund be used to provide certain supplemental grants for operating and programmatic improvements that strengthen cultural arts organizations in certain ways; altering the process for transferring certain funds from the Fund; specifying that grants from the Fund are supplemental and may not take the place of certain funding for certain organizations; creating the Calvert County Youth Recreational Opportunities Fund; providing for the purpose, administration, type, contents, expenditures, and investments of the Fund; requiring that the Fund be used only for certain projects; specifying that certain money expended from the Fund is not intended to take the place of funding that otherwise would be appropriated for a certain purpose; imposing a certain State admissions and amusement tax rate on electronic bingo in Calvert County; altering the revenue attributable from a certain tax rate distributed to a certain

special fund; providing for the distribution of certain revenue and proceeds to ~~Program Open Space~~ the Calvert County Youth Recreational Opportunities Fund, the Boys and Girls Club of the Town of North Beach, and certain municipal corporations in certain years; requiring that certain admissions and amusement taxes are to be determined on a certain basis; providing that certain admissions and amusement taxes may be determined on a certain basis; requiring the Commission to certify the compliance with certain laws before certain electronic bingo machines may be authorized for use; authorizing a certain qualified organization to repair and replace electronic bingo machines under certain circumstances; authorizing a certain qualified organization that offered instant bingo during a certain time and then was required to obtain a commercial license to operate a certain number of instant bingo machines under certain circumstances; requiring certain regulations to be at least as stringent as certain requirements; authorizing certain regulations to include certain provisions and requiring that the regulations include certain provisions; repealing certain obsolete provisions of law; making a certain technical correction; and generally relating to the operation and regulation of electronic instant bingo machines.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12-113 and ~~12-301(3)~~ 12-301(2) and (3)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law

Section 12-301.1 and 12-308

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 4-801

Annotated Code of Maryland

(2008 Volume and 2011 Supplement)

BY adding to

Article – Natural Resources

Section 5-1901 to be under the new subtitle “Subtitle 19. Calvert County Youth Recreational Opportunities Fund”

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2-202, 4-102, and 4-105(a-1)

Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1042 – Delegate Vallario

AN ACT concerning

**Courts and Judicial Proceedings – Witnesses – Privileged Communications
or Information ~~Between Labor Organization and Member~~ Involving Labor
Organizations**

FOR the purpose of prohibiting a labor organization or an agent of a labor organization from being compelled to disclose ~~in certain proceedings under certain circumstances~~ certain communications or information ~~acquired from a member~~ received or acquired in confidence while acting in a representative capacity concerning an employee grievance; requiring a labor organization or its agent to disclose a communication or information in a certain manner under certain circumstances; providing certain exceptions; prohibiting a certain inference from being drawn from a certain refusal; providing that the provisions of federal or State labor law control under certain circumstances; defining certain terms; providing for the application and construction of this Act; and generally relating to ~~privileged~~ certain communications or information.

BY adding to

Article – Courts and Judicial Proceedings

Section 9–124

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

THE COMMITTEE ON RULES REPORT #16

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 373 – Delegates Braveboy, Alston, Anderson, Branch, Burns, Cane, Carr, Carter, Cullison, Glenn, Gutierrez, Harrison, Haynes, Holmes, Ivey, Jones, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnik, Proctor, B. Robinson, Stukes, Summers, Tarrant, V. Turner, Valentino–Smith, Vaughn, Washington, and Wilson

AN ACT concerning

Education – Age for Compulsory Public School Attendance – Exemptions

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

House Bill 708 – Delegates Valentino-Smith, Alston, Braveboy, Bromwell, Carter, Gaines, Glenn, Gutierrez, Healey, K. Kelly, McDermott, Minnick, B. Robinson, Smigiel, Valderrama, Vallario, and Waldstreicher

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

House Bill 1155 – Delegates Frick, Carr, Hixson, Hucker, A. Kelly, Lee, Mizeur, and Waldstreicher

AN ACT concerning

Income Tax – Subtraction Modification – Land Acquisition for ~~Transportation-Related Projects~~ Department of Transportation

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 1278 – Delegate Cardin

AN ACT concerning

Transportation – Institutions of Higher Education and State Employment ~~Facilities~~ – Bicycle and Pedestrian Access

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 1383 – Delegate O'Donnell

AN ACT concerning

~~Property and Casualty~~ **Homeowner's Insurance – Underwriting Based on
Geographic Area**

The bill was re-referred to the Committee on Finance.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #28

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 319 – Delegates Proctor, Anderson, Aumann, Bates, Beidle, Cane, Cluster, DeBoy, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Hershey, Howard, Hubbard, Hucker, Impallaria, Krebs, Love, Malone, McDonough, McHale, O'Donnell, Ross, Vallario, and Wood

AN ACT concerning

Sales and Use Tax – Exemption – Veterans' Organizations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 444 – The Speaker (By Request – Administration) and Delegates Afzali, Bohanan, Cane, Clagett, Conway, Glass, Hershey, Hough, Jacobs, Jameson, A. Kelly, Krebs, Lafferty, Love, Luedtke, McComas, Murphy, Otto, Parrott, Ready, ~~and Schulz~~ Schulz, Boteler, Cardin, Frick, George, Howard, Ivey, Kaiser, A. Miller, Myers, Ross, Serafini, Stukes, Summers, F. Turner, and Walker

AN ACT concerning

Family Farm Preservation Act of 2012

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 975 – Delegates Kach, Boteler, and Olszewski

AN ACT concerning

**Income Tax – Subtraction Modification – Forest Conservation and
Management Program Expenses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**House Bill 1107 – Delegates Olszewski, Arora, Beidle, Bohanan, DeBoy,
James, McDonough, Weir, and Wood**

AN ACT concerning

Job Creation Tax Credit – ~~Amount of Credit and~~ Termination Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1463 – Delegate Griffith

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County
– Prince George’s VFD**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**House Bill 605 – Delegates Oaks, Carter, Clippinger, Hammen, McHale,
Mitchell, Rosenberg, Stukes, and Washington**

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**House Bill 885 – Delegates Jameson, Barkley, Burns, Haddaway–Riccio,
Impallaria, Love, W. Miller, Minnick, and Schulz**

AN ACT concerning

**Fraudulent Insurance Acts – Individual Sureties – Contracts
of Surety Insurance**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1017 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

~~**Injured Workers' Insurance Fund – Conversion to Chesapeake Employers'
Insurance Company**~~

Task Force to Study Maryland Insurance of Last Resort Programs

HB1017/187370/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1017
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “its” insert “preliminary and final”; and in line 11, strike “a certain date” and substitute “certain dates”.

AMENDMENT NO. 2

On page 4, in line 20, strike “and” and substitute:

“(ix) a representative of the Maryland Consumer Rights Coalition;

“(x) a representative of the Insurance Agents and Brokers of Maryland; and”;

in line 21, strike “(ix)” and substitute “(xi)”.

On page 5, in line 29, after “(g)” insert:

“(1) On or before December 1, 2012, the Task Force shall report its preliminary findings to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2-1246 of the State Government Article.

“(2)”;

in line 29, strike “2012” and substitute “2013”; and in the same line, after “its” insert “final”.

On page 29, in line 34, in each instance, strike “2013” and substitute “2014”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Muse moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was rejected by a roll call vote as follows:

Affirmative – 14 Negative – 32 (See Roll Call No. 1322)

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1087 – Delegates Hixson and Davis

AN ACT concerning

**~~Telecommunications~~ Communications Companies – Universal Service Trust
Fund – Surcharge**

Senator Brochin moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was rejected by a roll call vote as follows:

Affirmative – 14 Negative – 33 (See Roll Call No. 1323)

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**House Bill 1261 – Baltimore City Delegation and Delegates Branch,
Clippinger, Conaway, Glenn, Harrison, Haynes, McHale, Mitchell, Oaks,
B. Robinson, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Representation of Child Support Enforcement
Administration – Transfer of Employees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1356 – Delegate Barkley

AN ACT concerning

Health Insurance – Dental Preventive Care – Coverage

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1445 – Delegate Stifler

AN ACT concerning

**Plumbing and Heating, Ventilation, Air-Conditioning, and Refrigeration
Employees – Public Work Contracts – License Requirement and Employee
Classification**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1457 – Charles County Delegation

AN ACT concerning

Charles County – Correctional Officers’ Bill of Rights Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #34

AMENDED IN THE HOUSE

**Senate Bill 794 – Senators Garagiola, Astle, DeGrange, Glassman, King,
Klausmeier, ~~Mathias~~, Middleton, ~~Muse~~, and Robey**

AN ACT concerning

**Horse Racing – Purse Dedication Account – Use of Funds for Operating
Assistance**

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0794/673225/1

BY: Delegate Simmons

AMENDMENTS TO SENATE BILL 794

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “circumstances;” insert “prohibiting certain funds from being used to contribute to a campaign finance entity or make an independent expenditure.”.

AMENDMENT NO. 2

On page 2, in line 31, after “(g)” insert “(1)”; and in line 33, strike “(1)” and substitute “(I)”.

On page 3, in line 3, strike “(2)” and substitute “(II)”; and after line 8, insert:

“(2) FUNDS RECEIVED BY OCEAN DOWNS RACE COURSE OR ROSECROFT RACEWAY UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE USED TO CONTRIBUTE TO A CAMPAIGN FINANCE ENTITY UNDER TITLE 13 OF THE ELECTION LAW ARTICLE OR MAKE AN INDEPENDENT EXPENDITURE AS DEFINED IN § 1-101 OF THE ELECTION LAW ARTICLE.”.

On page 4, in line 29, after “(G)” insert “(1)”.

On page 5, in lines 1 and 7, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 12, insert:

“(2) FUNDS RECEIVED BY OCEAN DOWNS RACE COURSE OR ROSECROFT RACEWAY UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE USED TO CONTRIBUTE TO A CAMPAIGN FINANCE ENTITY UNDER TITLE 13 OF THE ELECTION LAW ARTICLE OR MAKE AN INDEPENDENT EXPENDITURE AS DEFINED IN § 1-101 OF THE ELECTION LAW ARTICLE.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 1324)

CONCURRENCE CALENDAR #35**AMENDED IN THE HOUSE**

Senate Bill 296 – Senators Manno, Miller, Astle, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Forehand, Garagiola, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, King, Klausmeier, Mathias, McFadden, Peters, Pipkin, Pugh, Ramirez, Reilly, Robey, Stone, and Young

AN ACT concerning

**Income Tax Credit – Security ~~Clearance Expenses~~ Clearances – Employer
Costs**

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0296/835060/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 296
(Third Reading File Bill)

On page 5, in line 2, strike “**2019**” and substitute “**2017**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1325)

CONCURRENCE CALENDAR #36**AMENDED IN THE HOUSE**

Senate Bill 864 – Senator DeGrange

AN ACT concerning

Gaming – ~~Instant Bingo~~ – Electronic Machines – Regulation

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0864/155668/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 864

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, after “devices;” insert “specifying that certain provisions of law do not apply to tip jar gaming and paper tip jar gaming where authorized;”.

AMENDMENT NO. 2

On page 5, in line 18, strike “MAY” and substitute “DOES”; in the same line, after “TO” insert “:

(I)”;

and in line 20, after “TITLE” insert “;AND

(II) TIP JAR GAMING OR PAPER TIP JAR GAMING WHERE AUTHORIZED”.

The preceding 2 amendments were read and concurred in.

SB0864/705863/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 864, AS AMENDED

(Third Reading File Bill)

In the Committee on Ways and Means Amendments (SB0864/155668/1), in line 2 of Amendment No. 1, strike “tip jar gaming and”.

In the Committee on Ways and Means Amendments, in line 5 of Amendment No. 2, strike “TIP JAR GAMING OR”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 1326)

CONCURRENCE CALENDAR #37

AMENDED IN THE HOUSE

Senate Bill 309 – Senators Klausmeier, Currie, Forehand, Kasemeyer, Kelley, Madaleno, Montgomery, Robey, Shank, ~~and Stone~~ Stone, and Pugh

AN ACT concerning

Mopeds and Motor Scooters – Titling, ~~Registration,~~ Insurance, and Required Use of Protective Headgear

Senator Frosh moved that the Senate concur in the House amendments.

SB0309/450415/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 309

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, after “circumstances;” insert “requiring that an excise tax be imposed for a certificate of title for a moped or motor scooter for which sales and use tax is not collected at the time of purchase;”; in line 31, after “11–134.5,” insert “13–809(a)(1) and (3).”; and in line 38, strike “13–809(a)(1), (2), and (3).” and substitute “13–809(a)(2) and (b)(1).”.

On page 3, in line 1, strike “, 21–1306.1, and 23–206.2(c)” and substitute “and 21–1306.1”.

AMENDMENT NO. 2

On page 12, after line 7, insert:

“(b) (1) Except as otherwise provided in this part, in addition to any other charge required by the Maryland Vehicle Law, an excise tax is imposed:

(i) For each original and each subsequent certificate of title issued in this State for a motor vehicle, a trailer, a semitrailer, **A MOPED, A MOTOR SCOOTER**, or an off-highway recreational vehicle for which sales and use tax is not collected at the time of purchase; and

(ii) Except as provided in paragraph (2) of this subsection, for each motor vehicle, trailer, or semitrailer that is in interstate operation and registered under § 13-109(c) or (d) of this title without a certificate of title.”;

and in line 9, strike “**OWNER**” and substitute “**OPERATOR**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 1327)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #46

House Bill 764 – Delegates Frick, Afzali, Arora, Bobo, Carr, Clagett, DeBoy, Hixson, Howard, Lafferty, Luedtke, McMillan, Mizeur, Pendergrass, Stein, Stocksdales, Summers, ~~and Zucker~~ Zucker, and A. Miller

AN ACT concerning

Tax Credit Evaluation Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1328)

The Bill was then sent to the House of Delegates.

House Bill 924 – Delegate Beitzel

AN ACT concerning

Vehicle Laws – Local Authority – Use of Highways by Snowmobiles

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1329)

The Bill was then sent to the House of Delegates.

House Bill 1316 – Delegates Hershey, DeBoy, and Malone

AN ACT concerning

Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1330)

The Bill was then sent to the House of Delegates.

House Bill 1326 – Delegate Norman

AN ACT concerning

**Harford County – Disposition of Fee for Performing Marriage Ceremony –
Funds for Historical Society**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1331)

The Bill was then sent to the House of Delegates.

House Bill 1387 – Delegate Murphy

AN ACT concerning

Charles County – Winery Special Event Permits – Farmers' Markets

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1332)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 701 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Board of Education – Student Member – Voting
MC 9–12**

STATUS OF BILL: QUESTION IS ON THE FAVORABLE REPORT.

Senator Garagiola moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1407 – ~~Delegate Walker~~ Delegates Walker, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, and Tarrant

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters
and Environmental Causes of Cancer**

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Muse moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 579 – Delegate Elliott

AN ACT concerning

Public Safety – Regulated Firearms – Exemption from Training Course

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1281 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Cooperative or Joint Administration of Programs

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 988 – Senator Klausmeier (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Cooperative or Joint Administration of Programs

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 879 – Delegate Morhaim

AN ACT concerning

Environment – Statewide Electronics Recycling Program

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 664 – Delegates Simmons, Dumais, K. Kelly, Kramer, and Krebs

AN ACT concerning

**Crimes – Committing a Crime of Violence in the Presence of a Minor –
Penalties**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

HB0664/608574/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 664
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Penalties” and substitute “Enhanced Penalty”; in line 4, strike “prohibiting” and substitute “enhancing the penalty for”; in the same line, strike “from committing” and substitute “who commits”; in line 7, strike “establishing certain penalties for a violation of this Act;”; in line 8, strike “a sentence” and substitute “an enhanced penalty”; in line 9, after “Act;” insert “providing that, to impose a certain enhanced penalty, the State must provide the defendant with a certain notice within a certain period before trial and prove certain elements beyond a reasonable doubt;”; in line 10, strike “violates” and substitute “receives an enhanced penalty under”; and in line 11, after “purposes;” insert “defining a certain term;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 21 through 31, inclusive, and substitute:

“(A) IN THIS SECTION, “MINOR” MEANS A CHILD WHO IS AT LEAST 2 YEARS OLD AND UNDER THE AGE OF 16 YEARS.

(B) (1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A PERSON WHO IS CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN § 5-101 OF THE PUBLIC SAFETY ARTICLE COMMITTED IN A RESIDENCE WHEN THE PERSON KNEW OR REASONABLY SHOULD HAVE KNOWN THAT A MINOR WAS PRESENT IN THE RESIDENCE IS SUBJECT TO AN ENHANCED PENALTY OF UP TO 5 YEARS.

(2) FOR THE PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION, A MINOR IS PRESENT IF THE MINOR IS WITHIN SIGHT OF THE CRIME OF VIOLENCE.

(C) FOR AN ENHANCED PENALTY TO BE IMPOSED UNDER THIS SECTION:

(1) AT LEAST 30 DAYS BEFORE TRIAL, THE STATE SHALL GIVE WRITTEN NOTICE TO THE DEFENDANT OF THE STATE’S INTENTION TO SEEK THE ENHANCED PENALTY; AND

(2) EACH ELEMENT OF THE CIRCUMSTANCES DESCRIBED IN SUBSECTION (A) OF THIS SECTION MUST BE PROVEN BEYOND A REASONABLE DOUBT.

(D) IF THE DEFENDANT IS CHARGED BY INFORMATION OR INDICTMENT THE STATE MAY INCLUDE THE WRITTEN NOTICE DESCRIBED IN SUBSECTION (C)(1) OF THIS SECTION IN THE INFORMATION OR INDICTMENT.”.

AMENDMENT NO. 3

On page 3, in line 1, strike “(C)” and substitute “(E)”; in the same line, strike “A SENTENCE” and substitute “**AN ENHANCED PENALTY**”; in line 4, strike “(D)” and substitute “(F)”; and in the same line, strike “VIOLATES” and substitute “**RECEIVES AN ENHANCED PENALTY UNDER**”.

The preceding 3 amendments were read only.

Senator Kittleman moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

CONCURRENCE CALENDAR #39

AMENDED IN THE HOUSE

Senate Bill 214 – Senator Raskin

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

Senator Frosh moved that the Senate concur in the House amendments.

SB0214/262919/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 214

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Minimus” and substitute “Minimis”.

AMENDMENT NO. 2

On page 2, in lines 26 and 30, in each instance, strike “**14**” and substitute “**10**”.

AMENDMENT NO. 3

On page 3, in line 2, after “**IMPOSED**” insert “**THAT INCLUDES AN UNSERVED, NONSUSPENDED PERIOD OF IMPRISONMENT**”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 41 Negative – 5 (See Roll Call No. 1333)

AMENDED IN THE HOUSE

**Senate Bill 245 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Juvenile Services)**

AN ACT concerning

Juvenile Law – Disposition – Committed Programs

Senator Frosh moved that the Senate concur in the House amendments.

SB0245/842510/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 245

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Programs” and substitute “Facilities”; in line 6, in each instance, strike “or program”; in line 7, after “circumstances,” insert “specifying the type of facility to which a child may be transferred under this Act”; and in line 9, after “hearing,” insert “requiring the Department of Juvenile Services to report to the General Assembly on or before a certain date; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 2, in line 26, after “SERVICES” insert “, ON APPROVAL OF THE DIRECTOR OF BEHAVIORAL HEALTH”.

AMENDMENT NO. 3

On page 2, in line 28, in each instance, strike “OR PROGRAM”; after line 29, insert:

“(2) A FACILITY TO WHICH A CHILD IS TRANSFERRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE:

(I) CONSISTENT WITH THE TYPE OF FACILITY DESIGNATED BY THE COURT UNDER SUBSECTION (D)(1)(II) OF THIS SECTION; OR

(II) MORE SECURE THAN THE TYPE OF FACILITY DESIGNATED BY THE COURT UNDER SUBSECTION (D)(1)(II) OF THIS SECTION.”;

and in line 30, strike “(2)” and substitute “(3)”.

On page 3, in line 1, strike “(3)” and substitute “(4)”.

AMENDMENT NO. 4

On page 3, after line 3, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2014, the Department of Juvenile Services shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act.”;

in line 4, strike “2.” and substitute “3.”; in line 5, strike “October” and substitute “June”; and in the same line, after “2012.” insert “It shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1334)

AMENDED IN THE HOUSE

Senate Bill 591 – Senator Stone

AN ACT concerning

Real Property – Manufactured Homes – ~~Conversion~~ Affixation to and Severance from Real Property

Senator Frosh moved that the Senate concur in the House amendment.

SB0591/110611/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 591

(Third Reading File Bill)

On page 5, in line 6, after “**TITLE**” insert “AND ALL RIGHTS”; in line 8, strike “**IS**” and substitute “HAS BEEN”; and in line 26, after the first “**THE**” insert “PARCEL OF”.

On page 9, in line 10, strike “**IS LOCATED**”; and in line 11, after “**AFFIXED**” insert “IS LOCATED”.

On page 11, in line 9, strike “**IS LOCATED**”; and in line 10, after “**SEVERED**” insert “IS LOCATED”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1335)

AMENDED IN THE HOUSE

Senate Bill 691 – ~~Senator Shank~~ Senators Shank, Frosh, Getty, and Gladden

SECOND PRINTING

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

Senator Frosh moved that the Senate concur in the House amendments.

SB0691/312813/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 691

(Third Reading File Bill – Second Printing)

On page 4, in line 22, strike “**FROM SUBSECTION (G)(1)**”; in line 23, after “**DEPARTMENT**” insert “**IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION**”; and in line 31, strike “the conviction or supervision of any individual” and substitute “a sentence of an individual commencing”.

The preceding amendment was read and concurred in.

SB0691/493028/1

BY: Delegate McConkey

AMENDMENT TO SENATE BILL 691

(Third Reading File Bill – Second Printing)

On page 3, in line 18, after the first “**OF**” insert “**§ 2-503,**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 1336)

AMENDED IN THE HOUSE

Senate Bill 797 – Senators Frosh ~~and Gladden~~, Gladden, Forehand, Ramirez, Raskin, Stone, and Zirkin

AN ACT concerning

**Courts and Judicial Proceedings – Witnesses – Privileged Communications
~~Between Labor Organization and Member~~ Involving Labor Organizations**

Senator Frosh moved that the Senate concur in the House amendments.

SB0797/272814/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 797

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Communications” insert “or Information”; in line 5, strike beginning with “in” through “proceedings” and substitute “under certain circumstances”; in line 6, after “acquired” insert “in confidence”; in line 7, after “capacity” insert “concerning an employee grievance”; in the same line, after the semicolon insert “requiring a labor organization or its agent to disclose a communication or information in a certain manner under certain circumstances;”; in line 10, after “terms;” insert “providing for the application and construction of this Act;”; in the same line, strike “privileged” and substitute “certain”; and in line 11, after “communications” insert “or information”.

AMENDMENT NO. 2

On page 2, in line 3, strike “**EMPLOYEE**” and substitute “**EMPLOYEE**”; in line 9, after “**(B)**” insert “**(1)**”; in the same line, strike “**(C)**” and substitute “**(D)**”; strike beginning with “, IN” in line 11 down through “**PROCEEDING,**” in line 12; in line 16, after “**ACQUIRED**” insert “**IN CONFIDENCE**”; in line 18, after “**CAPACITY**” insert “**CONCERNING AN EMPLOYEE GRIEVANCE**”; and after line 18, insert:

“(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A CRIMINAL PROCEEDING.

(3) AN EMPLOYEE’S PRIVILEGE UNDER THIS SUBSECTION APPLIES ONLY TO THE EXTENT THAT:

(I) A COMMUNICATION OR INFORMATION IS GERMANE TO A GRIEVANCE OF THE EMPLOYEE; AND

(II) THE GRIEVANCE OF THE EMPLOYEE IS A SUBJECT MATTER OF AN INVESTIGATION, A GRIEVANCE PROCEEDING, OR A CIVIL COURT, ADMINISTRATIVE, ARBITRATION, OR OTHER CIVIL PROCEEDING.

(4) AN EMPLOYEE’S PRIVILEGE UNDER THIS SUBSECTION CONTINUES AFTER TERMINATION OF:

(I) THE EMPLOYEE’S EMPLOYMENT; OR

(II) THE REPRESENTATIVE RELATIONSHIP OF THE LABOR ORGANIZATION OR ITS AGENT WITH THE EMPLOYEE.

(5) AN EMPLOYEE’S PRIVILEGE UNDER THIS SUBSECTION PROTECTS THE COMMUNICATION OR INFORMATION RECEIVED OR ACQUIRED BY THE LABOR ORGANIZATION OR ITS AGENT, BUT DOES NOT PROTECT THE EMPLOYEE FROM BEING COMPELLED TO DISCLOSE, TO THE EXTENT PROVIDED BY LAW, THE FACTS UNDERLYING THE COMMUNICATION OR INFORMATION.

(C) A LABOR ORGANIZATION OR ITS AGENT SHALL DISCLOSE TO THE EMPLOYER AS SOON AS POSSIBLE A COMMUNICATION OR INFORMATION DESCRIBED IN SUBSECTION (B)(1) OF THIS SECTION TO THE EXTENT THE LABOR ORGANIZATION OR ITS AGENT REASONABLY BELIEVES NECESSARY TO PREVENT CERTAIN DEATH OR SUBSTANTIAL BODILY HARM.”.

AMENDMENT NO. 3

On page 2, in line 19, strike “(C)” and substitute “(D)”; strike in their entirety lines 22 through 24, inclusive, and substitute:

“(1) TO THE EXTENT THE LABOR ORGANIZATION OR ITS AGENT REASONABLY BELIEVES NECESSARY TO:

(I) PREVENT THE EMPLOYEE FROM COMMITTING A CRIME, FRAUD, OR ANY ACT IN VIOLATION OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT THAT IS REASONABLY CERTAIN TO RESULT IN SUBSTANTIAL INJURY TO THE FINANCIAL INTERESTS OR PROPERTY OF ANOTHER AND IN FURTHERANCE OF WHICH THE EMPLOYEE HAS USED OR IS USING THE SERVICES OF THE LABOR ORGANIZATION OR ITS AGENT;

(II) PREVENT, MITIGATE, OR RECTIFY SUBSTANTIAL INJURY TO THE FINANCIAL INTERESTS OR PROPERTY OF ANOTHER THAT IS REASONABLY CERTAIN TO RESULT OR HAS RESULTED FROM THE EMPLOYEE’S COMMISSION OF A CRIME, FRAUD, OR ANY ACT IN VIOLATION OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT IN FURTHERANCE OF WHICH THE EMPLOYEE HAS USED THE SERVICES OF THE LABOR ORGANIZATION OR ITS AGENT;

(III) SECURE LEGAL ADVICE ABOUT THE COMPLIANCE OF THE LABOR ORGANIZATION OR ITS AGENT WITH A COURT ORDER OR OTHER LAW OR THE TERMS OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT;

(IV) ESTABLISH A CLAIM OR DEFENSE ON BEHALF OF THE LABOR ORGANIZATION OR ITS AGENT IN A CONTROVERSY BETWEEN THE EMPLOYEE AND THE LABOR ORGANIZATION OR ITS AGENT, TO ESTABLISH A DEFENSE TO A CRIMINAL CHARGE OR CIVIL CLAIM AGAINST THE LABOR ORGANIZATION OR ITS AGENT BASED ON CONDUCT IN WHICH THE EMPLOYEE WAS INVOLVED, OR TO RESPOND TO ALLEGATIONS IN ANY PROCEEDING CONCERNING THE PERFORMANCE OF PROFESSIONAL DUTIES BY THE LABOR ORGANIZATION OR ITS AGENT ON BEHALF OF THE EMPLOYEE; OR

(V) COMPLY WITH A COURT ORDER OR OTHER LAW OR THE TERMS OF A COLLECTIVE BARGAINING AGREEMENT OR CONTRACTUAL AGREEMENT;”.

On page 3, in line 9, strike “OR”; in line 10, after “ORDER” insert “; OR”

(7) TO THE EXTENT THAT THE EMPLOYEE WAIVES THE CONFIDENTIALITY OF THE COMMUNICATION OR INFORMATION”;

in lines 11 and 15, strike “(D)” and “(E)”, respectively, and substitute “(E)” and “(F)”, respectively; and in line 14, strike “(C)(3)” and substitute “(D)(3)”.

AMENDMENT NO. 4

On page 3, after line 17, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any collective bargaining agreement or contractual agreement in effect on the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any communication or information received or acquired by a labor organization or an agent of a labor organization before the effective date of this Act.”;

and in line 18, strike “2.” and substitute “4.”.

The preceding 4 amendments were read and concurred in.

SB0797/113522/1

BY: Chair, House Judiciary Committee

AMENDMENT TO SENATE BILL 797

(Third Reading File Bill)

On page 2, in line 9, after “SUBSECTION” insert “(C) OR”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 35 Negative – 12 (See Roll Call No. 1337)

CONCURRENCE CALENDAR #38

AMENDED IN THE HOUSE

Senate Bill 343 – Senators Pugh, Benson, Conway, Forehand, Gladden, Jones–Rodwell, Kelley, King, McFadden, Montgomery, Muse, Peters, Ramirez, Raskin, and Rosapepe

AN ACT concerning

**State Government – Brokerage and Investment Management Services – Use
of Minority Business Enterprises – Application**

Senator Conway moved that the Senate concur in the House amendment.

SB0343/336489/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 343

(Third Reading File Bill)

On page 18, in lines 24 and 25, strike “**STATE RETIREMENT AGENCY’S**” and substitute “**MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS**”; and in lines 28 and 32, in each instance, strike “**STATE RETIREMENT AGENCY**” and substitute “**MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1338)

AMENDED IN THE HOUSE

Senate Bill 534 – Senators Pugh, Currie, Gladden, and Jones–Rodwell

AN ACT concerning

Baltimore City – Alcoholic Beverages License – Repeal of Voter Registration Requirement for Licensees

Senator Conway moved that the Senate concur in the House amendment.

SB0534/763391/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 534
(Third Reading File Bill)

On page 1, in line 6, strike “issued” and substitute “granted”.

On page 2, in line 7, strike “ISSUED” and substitute “GRANTED”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1339)

MESSAGE TO THE SENATE

BILL: SB 0401

SPONSOR: Sen Pugh, et al

SUBJECT: Motor Vehicles – Towing Practices and Procedures

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Raskin, Chair

Senator Getty

Senator Brochin

The House appoints:

Delegate Niemann, Chairman

Delegate Malone, and
Delegate McMillan.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 1365

SPONSOR: Chr JUD (Dept)

SUBJECT: Department of Juvenile Services – Restitution – Referral to the Central Collection Unit

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Lee, Chairman
Delegate Cluster, and
Delegate Conaway.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 1365

SPONSOR: Chr JUD (Dept)

SUBJECT: Department of Juvenile Services – Restitution – Referral to the Central Collection Unit

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Lee, Chair

Delegate Cluster

Delegate Conaway

The Senate appoints:

Senator Shank, Chairman

Senator Forehand

Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0644

SPONSOR: Dels Oaks and Niemann

SUBJECT: Environment – Reducing the Incidence of Lead Poisoning

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Niemann, Chairman

Delegate Beidle, and

Delegate Hogan.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0644

SPONSOR: Dels Oaks and Niemann

SUBJECT: Environment – Reducing the Incidence of Lead Poisoning

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Niemann, Chair

Delegate Beidle

Delegate Hogan

The Senate appoints:

Senator Frosh, Chairman

Senator Gladden

Senator Getty.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 1340)

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 745** SPONSOR: **Senator Middleton**

**SUBJECT: Injured Workers' Insurance Fund – Conversion
to Chesapeake Employers' Insurance Company**

THIRD READING CALENDAR HOUSE NO. **24** SENATE NO. **38**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Economic Matters Committee Amendments (SB0745/613894/2) be rejected.

(2) That the attached Conference Committee Amendments (SB0745/823820/1) be adopted.

SB0745/823820/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 745 (Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 33, strike “a”; and in line 34, strike “liability” and substitute “liabilities; requiring the Fund to begin paying a certain amount to the State Employee and Retiree Health and Welfare Benefits Fund on or before a certain date; requiring the Injured Workers' Insurance Fund and the Department of Budget and Management, on or before a certain date, to enter into a memorandum of agreement establishing the terms, conditions, and schedule for certain payments by the Fund”.

AMENDMENT NO. 2

On page 17, in line 14, strike “**DISCLOSURES**” and substitute “**DISCLOSES**”.

AMENDMENT NO. 3

On page 33, strike beginning with the second comma in line 23 down through “process” in line 25; after line 27, insert:

“(2) In determining the fair value of the items listed in paragraph (1) of this subsection, the study shall consider:

(i) additional costs the Fund incurred from the Fund’s status as the insurer of last resort which required the Fund to provide workers’ compensation insurance to businesses regardless of the degree of risk;

(ii) that the Fund is a nonprofit entity with profits passed on to its policyholders;

(iii) whether the benefit of the taxes not paid was passed on to policyholders since the Fund was not subject to the taxes;

(iv) that since the Fund only began advertising and paying commissions to licensed insurance producers beginning in 1996, the Fund’s entire book of business was considered the residual market through 1995;

(v) that effective October 1, 2009, the Fund was statutorily required to serve as a competitive insurer in the marketplace, in addition to guaranteeing the availability of workers’ compensation insurance in the State, serving as the workers’ compensation insurer of last resort, and engaging only in the business of workers’ compensation insurance in accordance with State law; and

(vi) that effective October 1, 2003, the Fund was required to be subject to risk-based capital standards.”;

in line 28, strike “(2)” and substitute “(3)”; and strike in their entirety lines 29 through 31, inclusive.

On page 34, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(i) any subsidy that the Fund provided to the State in connection with the State self-insured workers’ compensation program; and”;

in line 4, strike “(iii)” and substitute “(ii)”; and strike beginning with the semicolon in line 8 down through “dependents” in line 13.

AMENDMENT NO. 4

On page 35, in line 14, after “(i)” insert “1.”; and in line 15, after “the” insert “Company’s risk-based capital ratio is less than 700% of its authorized control level.”

2. If the Company’s risk-based capital ratio is 700% or higher than its authorized control level, an installment or other payment shall be suspended or delayed, and may not be paid, in any year in which the”.

AMENDMENT NO. 5

On page 35, after line 33, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) (1) On or before December 1, 2012, the Injured Workers’ Insurance Fund and the Department of Budget and Management shall enter into a memorandum of agreement establishing the terms, conditions, and schedule for payment by the Injured Workers’ Insurance Fund of the projected costs for the State retiree health benefits of current and former Injured Workers’ Insurance Fund employees.

(2) The Injured Workers’ Insurance Fund shall be responsible for the payment of any costs incurred in calculating the Injured Workers’ Insurance Fund’s liability for retiree health benefits.

(b) On or before July 1, 2013, the Injured Workers’ Insurance Fund, in accordance with the schedule established in the memorandum of agreement required under subsection (a) of this section, shall begin to pay to the State Employee and Retiree Health and Welfare Benefits Fund established under § 2-516 of the State Personnel and Pensions Article an amount sufficient to satisfy the projected costs for the State retiree health benefits of current and former Injured Workers’ Insurance Fund employees, as determined by the actuary for the State Employee and Retiree Health Benefits Program.”;

and in line 34, strike “9.” and substitute “10.”.

On page 36, in lines 1 and 3, strike “10.” and “11.”, respectively, and substitute “11.” and “12.”, respectively; and in line 7, strike “9 and 10” and substitute “10 and 11”.

Senate Members:

House Members:

Chair, **Thomas M. Middleton**

Chair, **David D. Rudolph**

Delores G. Kelley

Dereck E. Davis

Katherine Klausmeier

Sally Jameson

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to: ☐ Chief Clerk
 ☒ Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 36 Negative – 10 (See Roll Call No. 1341)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 1342)

ADJOURNMENT

At 4:07 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 5:30 P.M. on Legislative Day April 5, 2012, Calendar Day, Monday, April 9, 2012.

Annapolis, Maryland
Legislative Day: April 5, 2012
Calendar Day: Monday, April 9, 2012
5:30 P.M. Session

The Senate met at 5:45 P.M.

QUORUM CALL

The presiding officer announced a quorum call, showing 38 Members present.

(See Roll Call No. 1344)

Prayer by Reverend Greg St. Cyr.

The Journal of April 4, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Colburn, DeGrange, Edwards, Kasemeyer, Madaleno, McFadden and Robey be excused from today's session.

THE COMMITTEE ON RULES REPORT #17

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

House Bill 161 – ~~Delegates George, Barnes, Beidle, Frush, Kipke, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

**Courts and Judicial Proceedings – Circuit Court for Anne Arundel County –
Fees for Appearance of Counsel**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 866 – Delegate Feldman

AN ACT concerning

Title Insurance – Closing or Settlement Protection Practices – Study

The bill was re-referred to the Committee on Finance.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 856** SPONSOR: **Senator Raskin**

SUBJECT: **Courts and Judicial Proceedings – Maryland
Mediation Confidentiality Act**

THIRD READING CALENDAR HOUSE NO. **15** SENATE NO. **40**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0856/562011/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0856/443323/4) be adopted.

SB0856/443323/4

BY: Conference Committee

AMENDMENTS TO SENATE BILL 856

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 24, strike “**THE**” and substitute “**:**”

(1) THE;

in lines 25 and 27, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; and in line 28, after “**CONFIDENTIAL**” insert “**;AND**”

**(2) THE MEDIATOR STATES IN WRITING TO ANY AND ALL PARTIES
TO THE MEDIATION THAT THE MEDIATOR HAS READ AND, CONSISTENT WITH**

STATE LAW, WILL ABIDE BY THE MARYLAND STANDARD OF CONDUCT FOR MEDIATORS DURING THE MEDIATION.

AMENDMENT NO. 2

On page 4, in line 31, strike “SERIOUS”.

AMENDMENT NO. 3

On page 5, in line 13, strike “A MANIFEST” and substitute “AN”; and strike beginning with the first “IN” in line 16 down through “CONFIDENTIAL” in line 17.

Senate Members:

House Members:

Chair, **Jamie Raskin**

Chair, **Luke Clippinger**

Joseph M. Getty

Susan C. Lee

Brian E. Frosh

Susan K. McComas

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1346)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #40

AMENDED IN THE HOUSE

Senate Bill 293 – Senators Miller, Kittleman, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Ferguson, Forehand, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Montgomery,

**Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Shank, Stone, Young,
and Zirkin**

AN ACT concerning

Education – Core Content Areas – Accountability Program

Senator Conway moved that the Senate concur in the House amendments.

SB0293/465064/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 293

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “information” insert “and feedback”; and in line 13, after “year,” insert “requiring the State Department of Education to conduct a certain statewide survey of public schools and public school teachers; requiring the Department to compile and publish the survey results on the Department’s Web site;”.

AMENDMENT NO. 2

On page 4, in line 11, strike “AND”; and after line 14, insert:

**“C. PROVIDE TIMELY FEEDBACK TO SCHOOLS AND
TEACHERS FOR THE PURPOSES OF ADAPTING THE INSTRUCTIONAL PROGRAM
AND MAKING PLACEMENT DECISIONS FOR STUDENTS; AND”.**

On page 5, after line 30, insert:

**“(E) (1) THE DEPARTMENT SHALL SURVEY A STATEWIDE,
REPRESENTATIVE SAMPLE OF PUBLIC SCHOOLS AND PUBLIC SCHOOL
TEACHERS ANNUALLY TO MEASURE:**

**(I) THE AMOUNT OF INSTRUCTIONAL TIME SPENT ON
SOCIAL STUDIES AND SCIENCE INSTRUCTION IN ELEMENTARY SCHOOLS;**

(II) THE AVAILABILITY AND USE OF APPROPRIATE INSTRUCTIONAL RESOURCES AND TEACHING TECHNOLOGY IN SOCIAL STUDIES AND SCIENCE CLASSROOMS;

(III) THE AVAILABILITY AND USE OF APPROPRIATE PROFESSIONAL DEVELOPMENT FOR SOCIAL STUDIES AND SCIENCE TEACHERS; AND

(IV) THE NUMBER OF SECONDARY SCHOOL SOCIAL STUDIES AND SCIENCE CLASSES THAT ARE TAUGHT BY TEACHERS WHO ARE:

1. CERTIFIED IN THE SUBJECT BEING TAUGHT; AND
2. NOT CERTIFIED IN THE SUBJECT BEING TAUGHT.

(2) THE DEPARTMENT SHALL:

(I) COMPILE THE RESULTS OF THE SURVEY CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) PUBLISH THE RESULTS ON THE DEPARTMENT’S WEB SITE.”;

and in line 31, strike “(e)” and substitute “(F)”.

On page 6, in line 7, strike “(f)” and substitute “(G)”; and in line 21, after “Act” insert a comma.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1347)

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #63**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 211 – Delegates Ivey, Vaughn, Griffith, Afzali, Alston, Anderson, Arora, Barkley, Barnes, Barve, Beidle, Beitzel, Bohanan, Branch, Braveboy, Burns, Cane, Carr, Carter, Clagett, Clippinger, Cullison, Davis, DeBoy, Feldman, Frick, Frush, Gaines, George, Gilchrist, Glenn, Gutierrez, Guzzone, Haddaway–Riccio, Harrison, Haynes, Healey, Hershey, Hixson, Holmes, Hucker, James, Jameson, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, Malone, McConkey, McIntosh, A. Miller, Minnick, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan–Pulliam, Niemann, Oaks, Olszewski, Pena–Melnik, Pendergrass, Proctor, Reznik, S. Robinson, Rosenberg, Ross, Rudolph, Schuh, Schulz, Simmons, Smigiel, Stein, Stukes, Summers, Tarrant, V. Turner, Walker, Washington, Wilson, Wood, ~~and Zucker~~ Zucker, and Norman

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elected Officials – Removal from Office – Crimes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 342 – Delegates Smigiel, Hershey, and Jacobs

AN ACT concerning

Education – Regional School of the Arts for Cecil, Kent, and Queen Anne’s Counties – Feasibility Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1019 – Delegates Murphy, Barve, Branch, Carr, Frick, Gilchrist, Howard, Hubbard, Ivey, Kipke, Luedtke, Rosenberg, Ross, Stukes, Summers, ~~and Walker~~ Walker, and Cardin

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1219 – Delegates Boteler, Branch, Cluster, George, Glass, Hixson, Hough, Ivey, Kach, McDermott, A. Miller, Myers, Norman, Stukes, Summers, F. Turner, Walker, and Weir

EMERGENCY BILL

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – ~~Local Approval and Reporting Requirements~~ Development or Review and Approval

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1223 – Delegate Guzzone

AN ACT concerning

Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Joint Resolution 3 – Delegates Morhaim, Barve, Cardin, Cluster, Costa, Feldman, Griffith, Holmes, Hubbard, Lafferty, McIntosh, A. Miller, Nathan–Pulliam, Pena–Melnik, Ross, Stein, and Waldstreicher

A House Joint Resolution concerning

Maryland Ratification of the 17th Amendment to the United States Constitution

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #64

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 6 – Delegates Howard and Cardin

AN ACT concerning

Election Law – Use of Campaign Funds for Meeting and Conference Expenses

HB0006/254635/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 6

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Expenses” insert “– Members of the General Assembly”; in line 4, after “expenses” insert “for members of the General Assembly”; in line 6, after “law,” insert “providing for the termination of this Act;”; and in line 7, strike “a candidate’s or an elected official’s” and substitute “General Assembly members”.

On page 3, in line 5, after “2012.” insert “It shall remain effective for a period of 3 years and, at the end of September 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 2

On page 2, in line 34, before “PAY” insert “AS TO A MEMBER OF THE GENERAL ASSEMBLY,”; and in line 35, strike “AN ELECTED OFFICIAL OR A CANDIDATE ASSOCIATED WITH” and substitute “THE MEMBER FOR”.

On page 3, strike beginning with “OFFICE” in line 2 down through “SEEKS” in line 3 and substitute “MEMBER’S OFFICE, IF THE MEETING OR CONFERENCE IS SPONSORED BY:

(I) THE NATIONAL CONFERENCE OF STATE LEGISLATURES;

(II) THE SOUTHERN REGIONAL EDUCATION BOARD;

(III) THE EASTERN REGIONAL CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS;

(IV) THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS; OR

(V) AN ORGANIZATION OTHER THAN THE ORGANIZATIONS SPECIFIED IN ITEMS (I) THROUGH (IV) OF THIS PARAGRAPH, PROVIDED THE MEMBER OBTAINS WRITTEN APPROVAL FROM THE PRESIDING OFFICER OF THE HOUSE OF THE MEMBER TO ATTEND THE MEETING OR CONFERENCE”.

The preceding 2 amendments were read only.

Senator Shank moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 987 – Delegates Hucker, Bobo, Carr, Frush, Gilchrist, Glenn, Gutierrez, Holmes, Kramer, Lafferty, Luedtke, Niemann, S. Robinson, Waldstreicher, ~~and Zucker~~ Zucker, and Cardin

AN ACT concerning

Stormwater Management – Watershed Protection and Restoration Program

HB0987/764638/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 987

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “adopt” insert “and implement”; in line 14, after “to” insert “establish and”; in line 16, after “manner,” insert “authorizing a county or municipality to use certain calculation methods to set a stormwater remediation fee;”; in line 20, after “to” insert “establish policies and procedures approved by the Department of the Environment to”; in the same line, after “a” insert “certain”; and in the same line, strike “in accordance with certain”.

On page 2, in line 1, strike “policies and procedures”; in line 2, after “items,” insert “authorizing a county or municipality to monitor and verify the effectiveness of certain measures in a certain manner;”; and strike beginning with the first comma in line 2 down through “fee,” in line 6 and substitute “the assessment of a stormwater remediation fee on a property by both a county and a municipality; requiring a county to provide certain notice and a reasonable time to pass a certain ordinance before the county may impose a stormwater remediation fee on property located within a municipality; requiring a municipality to provide certain notice and a reasonable time for a county to discontinue collecting a certain stormwater remediation fee under certain circumstances;”.

AMENDMENT NO. 2

On page 4, in line 12, strike “PROPERTY”; in the same line, after “OWNERS” insert “OF PROPERTY LOCATED”; and strike in their entirety lines 18 through 21, inclusive, and substitute:

“(II) A COUNTY OR MUNICIPALITY MAY SET A STORMWATER REMEDIATION FEE UNDER THIS PARAGRAPH BASED ON:

1. A FLAT RATE;

2. AN AMOUNT THAT IS GRADUATED, BASED ON THE AMOUNT OF IMPERVIOUS SURFACE ON EACH PROPERTY; OR

3. ANOTHER METHOD OF CALCULATION SELECTED BY THE COUNTY OR MUNICIPALITY.”.

AMENDMENT NO. 3

On page 5, in line 7, strike “(4)” and substitute “(3)”; and in line 18, strike “THAT IS BASED ON THE AMOUNT OF IMPERVIOUS SURFACE ON A PROPERTY”.

AMENDMENT NO. 4

On page 6, in line 6, strike “ANNUALLY”; and after line 9, insert:

“(3) FOR THE PURPOSE OF MONITORING AND VERIFYING THE EFFECTIVENESS OF ON-SITE SYSTEMS, FACILITIES, SERVICES, OR ACTIVITIES UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION, A COUNTY OR MUNICIPALITY MAY:

(I) CONDUCT ON-SITE INSPECTIONS;

(II) AUTHORIZE A THIRD PARTY, CERTIFIED BY THE DEPARTMENT, TO CONDUCT ON-SITE INSPECTIONS ON BEHALF OF THE COUNTY OR MUNICIPALITY; OR

(III) REQUIRE A PROPERTY OWNER TO HIRE A THIRD PARTY, CERTIFIED BY THE DEPARTMENT, TO CONDUCT AN ON-SITE INSPECTION AND PROVIDE TO THE COUNTY OR MUNICIPALITY THE RESULTS OF THE INSPECTION AND ANY OTHER INFORMATION REQUIRED BY THE COUNTY OR MUNICIPALITY.”.

AMENDMENT NO. 5

On page 6, strike in their entirety lines 12 through 18, inclusive, and substitute:

“(2) (I) BEFORE A COUNTY MAY IMPOSE A STORMWATER REMEDIATION FEE ON A PROPERTY LOCATED WITHIN A MUNICIPALITY, THE COUNTY SHALL:

1. NOTIFY THE MUNICIPALITY OF THE COUNTY'S INTENT TO IMPOSE A STORMWATER REMEDIATION FEE ON PROPERTY LOCATED WITHIN THE MUNICIPALITY; AND

2. PROVIDE THE MUNICIPALITY REASONABLE TIME TO PASS AN ORDINANCE AUTHORIZING THE IMPOSITION OF A MUNICIPAL STORMWATER REMEDIATION FEE INSTEAD OF A COUNTY STORMWATER REMEDIATION FEE.

(II) IF A COUNTY CURRENTLY IMPOSES A STORMWATER REMEDIATION FEE ON PROPERTY LOCATED WITHIN A MUNICIPALITY AND THE MUNICIPALITY DECIDES TO IMPLEMENT ITS OWN STORMWATER REMEDIATION FEE UNDER THIS SECTION OR § 4-204 OF THIS SUBTITLE, THE MUNICIPALITY SHALL:

1. NOTIFY THE COUNTY OF THE MUNICIPALITY'S INTENT TO IMPOSE ITS OWN STORMWATER REMEDIATION FEE; AND

2. PROVIDE THE COUNTY REASONABLE TIME TO DISCONTINUE THE COLLECTION OF THE COUNTY STORMWATER REMEDIATION FEE WITHIN THE MUNICIPALITY BEFORE THE MUNICIPALITY'S STORMWATER REMEDIATION FEE BECOMES EFFECTIVE.”.

AMENDMENT NO. 6

On page 7, in line 7, strike “A” and substitute “SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, A”.

On page 8, after line 4, insert:

“(5) A COUNTY OR MUNICIPALITY MAY USE ITS LOCAL WATERSHED PROTECTION AND RESTORATION FUND AS AN ENVIRONMENTAL FUND, AND MAY DEPOSIT TO AND EXPEND FROM THE FUND ADDITIONAL MONEY MADE AVAILABLE FROM OTHER SOURCES AND DEDICATED TO ENVIRONMENTAL USES, PROVIDED THAT THE FUNDS RECEIVED FROM THE STORMWATER REMEDIATION FEE ARE EXPENDED ONLY FOR THE PURPOSES AUTHORIZED UNDER PARAGRAPH (4) OF THIS SUBSECTION.”;

in lines 5 and 8, strike “(5)” and “(6)”, respectively, and substitute “(6)” and “(7)”, respectively; in line 21, after “(J)” insert “(1)”; and after line 24, insert:

“(2) A COUNTY OR MUNICIPALITY MAY ESTABLISH A SEPARATE HARDSHIP EXEMPTION PROGRAM OR INCLUDE A HARDSHIP EXEMPTION AS PART OF A SYSTEM OF OFFSETS ESTABLISHED UNDER SUBSECTION (F)(1) OF THIS SECTION.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1411 – Delegates George, Frush, and Lafferty

AN ACT concerning

**Environment – Water Management Administration – Wetlands and
Waterways Program Fees**

HB1411/974335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1411

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “modifications;” insert “prohibiting the Department of the Environment from requiring application fees for the installation of certain lifts or for certain maintenance, repair, or replacement under certain circumstances;”.

AMENDMENT NO. 2

On page 8, in line 2, strike “THE” and substitute “:

(I) THE”;

in the same line, after “BOATLIFT” insert “, HOIST, OR PERSONAL WATERCRAFT LIFT”; and in the same line, after “PILINGS” insert “; OR”

(II) IF THE EXISTING STRUCTURE IS FUNCTIONAL AND THERE IS NO INCREASE IN THE ORIGINAL LENGTH, WIDTH, HEIGHT, OR CHANNELWARD ENCROACHMENT AUTHORIZED UNDER § 16–202, § 16–302, OR § 16–307 OF THIS ARTICLE, THE ROUTINE MAINTENANCE, REPAIR, OR REPLACEMENT OF:

1. A HIGHWAY STRUCTURE;
2. A PIER;
3. A BOATHOUSE;
4. A STRUCTURE ON A PIER;
5. A BULKHEAD;
6. A REVETMENT;
7. A TIDAL IMPOUNDMENT DIKE;
8. A WATER CONTROL STRUCTURE;
9. AN ABOVEGROUND TRANSMISSION FACILITY;
10. AN AGRICULTURAL DRAINAGE DITCH; OR
11. A HIGHWAY DRAINAGE DITCH”.

AMENDMENT NO. 3

On page 8, strike beginning with “Except” in line 3 down through “the” in line 4 and substitute “THE”; and in line 6, strike “The” and substitute “SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION, THE”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #47

House Bill 319 – Delegates Proctor, Anderson, Aumann, Bates, Beidle, Cane, Cluster, DeBoy, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Hershey, Howard, Hubbard, Hucker, Impallaria, Krebs, Love, Malone, McDonough, McHale, O'Donnell, Ross, Vallario, and Wood

AN ACT concerning

Sales and Use Tax – Exemption – Veterans' Organizations

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1348)

The Bill was then sent to the House of Delegates.

House Bill 444 – The Speaker (By Request – Administration) and Delegates Afzali, Bohanan, Cane, Clagett, Conway, Glass, Hershey, Hough, Jacobs, Jameson, A. Kelly, Krebs, Lafferty, Love, Luedtke, McComas, Murphy, Otto, Parrott, Ready, ~~and Schulz~~ Schulz, Boteler, Cardin, Frick, George, Howard, Ivey, Kaiser, A. Miller, Myers, Ross, Serafini, Stukes, Summers, F. Turner, and Walker

AN ACT concerning

Family Farm Preservation Act of 2012

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1349)

The Bill was then sent to the House of Delegates.

House Bill 605 – Delegates Oaks, Carter, Clippinger, Hammen, McHale, Mitchell, Rosenberg, Stukes, and Washington

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study

FLOOR AMENDMENT

HB0605/693721/1

BY: Senator Madaleno

AMENDMENTS TO HOUSE BILL 605

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Study” insert “and Purple Line Transit Study”; and in line 12, before “and” insert “requiring the Administration to consider certain matters relating to a certain transit project referred to as the Purple Line in Montgomery County and Prince George’s County; prohibiting the Administration from acquiring certain real property for construction of the Purple Line transit project under certain circumstances;”; and in line 13, after “Study” insert “and the Purple Line Transit Study in Montgomery County and Prince George’s County”.

AMENDMENT NO. 2

On page 4, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, for the transit project referred to in the Maryland Consolidated Transportation Program for fiscal years 2013 through 2018 as the Purple Line in Montgomery County and Prince George’s County, the Maryland Transit Administration:

(1) Shall consider the establishment of a dedicated fund within the construction budget of the Purple Line transit project to compensate property owners whose property is damaged during the construction of any Purple Line project;

(2) Shall consider methods for providing preference in hiring for construction jobs for the construction of any Purple Line transit project to:

(i) residents of legislative districts in which the Purple Line transit project will be constructed; or

(ii) residents of legislative districts adjacent to those in which the Purple Line transit project will be constructed; and

(3) May not require any real property for construction of the Purple Line transit project, if the acquisition would result in involuntary residential displacement.”;

and in line 3, strike “2.” and substitute “3.”.

The preceding 2 amendments were read only.

Senator Pugh moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

House Bill 885 – Delegates Jameson, Barkley, Burns, Haddaway–Riccio, Impallaria, Love, W. Miller, Minnick, and Schulz

AN ACT concerning

**Fraudulent Insurance Acts – Individual Sureties – Contracts
of Surety Insurance**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 1350)

The Bill was then sent to the House of Delegates.

House Bill 975 – Delegates Kach, Boteler, and Olszewski

AN ACT concerning

**Income Tax – Subtraction Modification – Forest Conservation and
Management Program Expenses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1351)

The Bill was then sent to the House of Delegates.

House Bill 1017 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

~~Injured Workers' Insurance Fund – Conversion to Chesapeake Employers'~~
~~Insurance Company~~
Task Force to Study Maryland Insurance of Last Resort Programs

Senator Muse moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1087 – Delegates Hixson and Davis

AN ACT concerning

~~Telecommunications~~ Communications Companies – Universal Service Trust
Fund – Surcharge

Read the third time and passed by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 1352)

The Bill was then sent to the House of Delegates.

**House Bill 1107 – Delegates Olszewski, Arora, Beidle, Bohanan, DeBoy,
James, McDonough, Weir, and Wood**

AN ACT concerning

Job Creation Tax Credit – ~~Amount of Credit and~~ Termination Provisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1353)

The Bill was then sent to the House of Delegates.

**House Bill 1261 – Baltimore City Delegation and Delegates Branch,
Clippinger, Conaway, Glenn, Harrison, Haynes, McHale, Mitchell, Oaks,
B. Robinson, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Representation of Child Support Enforcement
Administration – Transfer of Employees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1354)

The Bill was then sent to the House of Delegates.

House Bill 1356 – Delegate Barkley

AN ACT concerning

Health Insurance – Dental Preventive Care – Coverage

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1355)

The Bill was then sent to the House of Delegates.

House Bill 1445 – Delegate Stifler

AN ACT concerning

**Plumbing and Heating, Ventilation, Air-Conditioning, and Refrigeration
Employees – Public Work Contracts – License Requirement and Employee
Classification**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1356)

The Bill was then sent to the House of Delegates.

House Bill 1457 – Charles County Delegation

AN ACT concerning

Charles County – Correctional Officers’ Bill of Rights Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1357)

The Bill was then sent to the House of Delegates.

House Bill 1463 – Delegate Griffith

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County
– Prince George’s VFD**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1358)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #48

House Bill 879 – Delegate Morhaim

AN ACT concerning

Environment – Statewide Electronics Recycling Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 1359)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON FINANCE REPORT #47

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 866 – Delegate Feldman

AN ACT concerning

Title Insurance – Closing or Settlement Protection Practices – Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 701 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Board of Education – Student Member – Voting
MC 9–12**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

The favorable report was adopted by a roll call vote as follows:

Affirmative – 27 Negative – 18 (See Roll Call No. 1360)

FLOOR AMENDMENT**HB0701/833827/1**

BY: Senator Frosh

AMENDMENT TO HOUSE BILL 701, AS AMENDED

In the Education, Health, and Environmental Affairs Committee Amendments (HB0701/854732/1), in line 3, strike “AND”; and in line 4, after “BOUNDARIES” insert “;AND

(III) COLLECTIVE BARGAINING”.

The preceding amendment was read only.

Senator Frosh moved, duly seconded, to make the Bill and Amendment a Special Order for the end of today’s business.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #45

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1278 – Delegate Cardin

AN ACT concerning

**Transportation – Institutions of Higher Education ~~and State Employment~~
Facilities – Bicycle and Pedestrian Access**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #29

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1228 – Delegate Bohanan

AN ACT concerning

Regional Higher Education Centers – Funding Formula

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BILL: HB 0983

SPONSOR: Dels Frush and Hubbard

SUBJECT: Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition –
Junk and Scrap Metal Facilities

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Frush, Chairman
Delegate Niemann, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0983
SPONSOR: Dels Frush and Hubbard
SUBJECT: Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition –
Junk and Scrap Metal Facilities

The Senate does not recede in the Senate amendments.

The Senate respectfully requests the House reconsider and concur.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0457
SPONSOR: Del Howard, et al
SUBJECT: Transportation – Highway Construction Training and Supportive
Services

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Howard, Chairman
Delegate Luedtke, and
Delegate Boteler.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0457

SPONSOR: Del Howard, et al

SUBJECT: Transportation – Highway Construction Training and Supportive Services

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Howard, Chair
Delegate Luedtke
Delegate Boteler

The Senate appoints:
Senator Pugh, Chairman
Senator Glassman
Senator Mathias.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 1017 – Delegate Davis**EMERGENCY BILL**

AN ACT concerning

~~**Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company**~~
Task Force to Study Maryland Insurance of Last Resort Programs

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Muse moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 1361)

ADJOURNMENT

At 7:13 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Legislative Day April 6, 2012, Calendar Day Monday, April 9, 2012.

Annapolis, Maryland
Legislative Day: April 6, 2012
Calendar Day: Monday, April 9, 2012
8:00 P.M. Session

The Senate met at 8:12 P.M.

Prayer by Reverend Greg St. Cyr.

The Journal of April 5, 2012 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 1362)

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 1017 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

~~**Injured Workers' Insurance Fund – Conversion to Chesapeake Employers'**~~
~~**Insurance Company**~~
Task Force to Study Maryland Insurance of Last Resort Programs

STATUS OF BILL: BILL IS ON THIRD READING AND OPEN TO AMENDMENT.

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 0 (See Roll Call No. 1363)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 134 SPONSOR: Senator Conway

**SUBJECT: State Real Estate Commission – Sunset
Extension and Program Evaluation**

THIRD READING CALENDAR HOUSE NO. 28 SENATE NO. 13

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the Economic Matters Committee Amendments (SB0134/963190/1) be rejected.

Senate Members:

House Members:

Chair, **Joan Carter Conway**

Chair, **Dereck E. Davis**

Bill Ferguson

Sally Jameson

Edward R. Reilly

Kelly Schulz

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to: ☐ Chief Clerk
 ☒ Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 40 Negative – 0 (See Roll Call No. 1364)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #42

AMENDED IN THE HOUSE

Senate Bill 776 – Senator Young

AN ACT concerning

**Polysomnographic Technologists – Education and Examination
Requirements**

Senator Conway moved that the Senate not concur in the House amendments.

SB0776/966283/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 776

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “altering the examination requirements for a license to practice polysomnography to require a certain examination approved by the Board of Physicians to be accredited by a certain accrediting organization;”; and in line 7, strike the first “a”.

AMENDMENT NO. 2

On page 2, in line 6, after “examination” insert “ACCREDITED BY THE NATIONAL COMMISSION OF CERTIFYING AGENCIES AND”; in line 13, strike “A.”; in the same line, strike “GRADUATED FROM A” and substitute “SUCCESSFULLY COMPLETED:”

A. A”;

and strike beginning with “AND” in line 15 down through the semicolon in line 18 and substitute:

“B. A PROGRAM DESIGNATED AS A SLEEP
TECHNOLOGIST APPROVED RESOURCE BY THE BOARD OF REGISTERED
POLYSOMNOGRAPHIC TECHNOLOGISTS; OR

C. A PROGRAM RECOMMENDED BY THE COMMITTEE
AND APPROVED BY THE BOARD;”.

On page 3, in line 5, after “EXAMINATION” insert “ACCREDITED BY THE NATIONAL COMMISSION ON CERTIFYING AGENCIES AND”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0776

SPONSOR: Sen Young

SUBJECT: Polysomnographic Technologists – Education and Examination Requirements

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Young, Chairman
Senator Simonaire
Senator Rosapepe.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0753

SPONSOR: Del Kach

SUBJECT: Md St Bd of Morticians and Fnrl Drctrs – Prmts and Registr Reqd to Remove and Transport Hmn Remains

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

Senator Conway moved, duly seconded, that the Senate recede from its position.

The motion was adopted.

HB0753/874830/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 753

(Third Reading File Bill)

On page 3, in line 19, after “OR” insert “AN”.

On page 5, in line 28, after the semicolon insert “AND”; in line 29, strike “**(2)**”; and in lines 29 and 30, strike “**A CRIMINAL HISTORY RECORDS CHECK; AND**”.

On page 6, in line 1, strike “**(3)**” and substitute “**(2)**”.

The preceding amendment was removed.

House Bill 753 – Delegate Kach

AN ACT concerning

**Maryland State Board of Morticians and Funeral Directors – Permits and
Registration Required to Remove and Transport Human Remains**

Read the third time and passed by yeas and nays as follows:

Affirmative – 40 Negative – 0 (See Roll Call No. 1365)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0753

SPONSOR: Del Kach

SUBJECT: Md St Bd of Morticians and Fnrl Drctrs – Prmts and Registr Reqd to Remove and Transport Hmn Remains

The Senate recedes from its position on HB 0753.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0070

SPONSOR: Del Kach

SUBJECT: State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

Senator Conway moved, duly seconded, that the Senate recede from its position.

The motion was adopted.

HB0070/234335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 70

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “authorizing” and substitute “requiring”; in line 6, after “circumstances,” insert “providing that certain applicants or licensees are deemed to have consented to submit to a certain examination and to have waived a certain claim of privilege under certain circumstances;”; in line 10, after “circumstances,” insert “providing that failure or refusal of a certain applicant or licensee to submit to a certain examination is prima facie evidence of the inability to practice mortuary science or funeral direction competently, unless the Board makes a certain finding;”; in line 15, after “examinations” insert “under certain circumstances; requiring the Board to pay the reasonable costs of certain examinations for certain licensees”; and in line 19, strike “and 7-319(h)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 down through line 6 on page 3 and substitute:

“(A) IF, WHEN INVESTIGATING AN ALLEGATION BROUGHT AGAINST AN APPLICANT OR A LICENSEE UNDER THIS TITLE, THE BOARD FINDS REASONABLE EVIDENCE INDICATING THAT THE APPLICANT OR LICENSEE CANNOT PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION COMPETENTLY, THE BOARD SHALL REQUIRE THE APPLICANT OR LICENSEE TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION BY A HEALTH CARE PRACTITIONER DESIGNATED BY THE BOARD.

“(B) IN RETURN FOR THE PRIVILEGE TO PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION IN THE STATE, AN APPLICANT OR A LICENSEE IS DEEMED TO HAVE:

“(1) CONSENTED TO SUBMIT TO AN EXAMINATION UNDER THIS SECTION, IF REQUESTED BY THE BOARD IN WRITING; AND

(2) WAIVED ANY CLAIM OF PRIVILEGE AS TO THE EXAMINATION REPORT.”.

On page 3, in line 7, strike “**(B)**” and substitute “**(C)**”; in line 8, strike “**EVALUATION**” and substitute “**EXAMINATION**”; after line 10, insert:

“(D) THE UNREASONABLE FAILURE OR REFUSAL OF AN APPLICANT OR A LICENSEE TO SUBMIT TO AN EXAMINATION REQUIRED UNDER THIS SECTION IS PRIMA FACIE EVIDENCE OF THE APPLICANT’S OR LICENSEE’S INABILITY TO PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION COMPETENTLY, UNLESS THE BOARD FINDS THAT THE FAILURE OR REFUSAL WAS BEYOND THE CONTROL OF THE APPLICANT OR LICENSEE.”;

in line 17, strike “**(C)**” and substitute “**(E)**”; in the same line, strike “**(1)**”; in the same line, strike “**SUBPARAGRAPH (II)**” and substitute “**PARAGRAPH (2)**”; in lines 21 and 25, strike “**(II)**” and “**(2)**”, respectively, and substitute “**(2)**” and “**(F)**”, respectively; and strike in their entirety lines 27 through 31, inclusive.

The preceding 2 amendments were removed.

House Bill 70 – Delegate Kach

AN ACT concerning

State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 2 (See Roll Call No. 1366)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB 0070**

SPONSOR: Del Kach

SUBJECT: State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees

The Senate recedes from its position on HB 0070.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

THE COMMITTEE ON FINANCE REPORT #46

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 978 – Senator Jones–Rodwell

AN ACT concerning

Maryland Workforce and Career Pathways Act of 2012

SB0978/387074/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 978

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Maryland Workforce and” and substitute “Department of Labor, Licensing, and Regulation –”; in the same line, strike “Act of 2012” and substitute “Program – Study”; strike beginning with “establishing” in line 3 down through “terms,” in line 24 and substitute “requiring the Department of Labor, Licensing, and Regulation to conduct a certain study regarding the establishment of a career pathways program in the Division of Employment and Training; requiring the Department to submit the results of a certain study to the General Assembly on or before a certain date;”; in line 24, after “to” insert “a study regarding the establishment of a career pathways program in”; in lines 24 and 25, strike “and the

Career Pathways Program” and substitute “by the Department of Labor, Licensing, and Regulation”; and strike in their entirety lines 26 through 30, inclusive.

AMENDMENT NO. 2

On page 2, in line 2, strike “the Laws of Maryland read as follows”; and after line 2, insert:

“(a) The Department of Labor, Licensing, and Regulation shall conduct a study on whether it is practicable to establish a career pathways program in the Division of Employment and Training.

“(b) When conducting the study required under subsection (a) of this section, the Department shall consider whether:

(1) public and private grants and funding resources may be used to fund a career pathways program and grants that may be given under a career pathways program; and

(2) partnerships with local public and nonprofit workforce development entities, public schools, community colleges, and universities may be used to carry out a career pathways program.

“(c) On or before December 31, 2012, the Department shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the results of the study conducted under this section.”.

On pages 2 through 7, strike in their entirety the lines beginning with line 3 on page 2 through line 28 on page 7, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #49

House Bill 211 – Delegates Ivey, Vaughn, Griffith, Afzali, Alston, Anderson, Arora, Barkley, Barnes, Barve, Beidle, Beitzel, Bohanan, Branch, Braveboy, Burns, Cane, Carr, Carter, Clagett, Clippinger, Cullison, Davis, DeBoy, Feldman, Frick, Frush, Gaines, George, Gilchrist, Glenn, Gutierrez, Guzzone, Haddaway–Riccio, Harrison, Haynes, Healey, Hershey, Hixson, Holmes, Hucker, James, Jameson, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, Malone, McConkey, McIntosh, A. Miller, Minnick, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan–Pulliam, Niemann, Oaks, Olszewski, Pena–Melnik, Pendergrass, Proctor, Reznik, S. Robinson, Rosenberg, Ross, Rudolph, Schuh, Schulz, Simmons, Smigiel, Stein, Stukes, Summers, Tarrant, V. Turner, Walker, Washington, Wilson, Wood, ~~and Zucker~~ Zucker, and Norman

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elected Officials – Removal from Office – Crimes

Senator Dyson moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 342 – Delegates Smigiel, Hershey, and Jacobs

AN ACT concerning

Education – Regional School of the Arts for Cecil, Kent, and Queen Anne's Counties – Feasibility Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1367)

The Bill was then sent to the House of Delegates.

House Bill 866 – Delegate Feldman

AN ACT concerning

Title Insurance – Closing or Settlement Protection Practices – Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1368)

The Bill was then sent to the House of Delegates.

House Bill 987 – Delegates Hucker, Bobo, Carr, Frush, Gilchrist, Glenn, Gutierrez, Holmes, Kramer, Lafferty, Luedtke, Niemann, S. Robinson, Waldstreicher, ~~and Zucker~~ Zucker, and Cardin

AN ACT concerning

Stormwater Management – Watershed Protection and Restoration Program

FLOOR AMENDMENT

HB0987/813322/1

BY: Senator Raskin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 19, after “charges;” insert “exempting certain property from paying the stormwater remediation fee;”.

AMENDMENT NO. 2

On page 4 of the bill, in line 10, after “IN” insert “**PARAGRAPH (2) OF THIS SUBSECTION AND**”; and in line 14, after “**(2)**” insert “**PROPERTY OWNED BY THE STATE, A UNIT OF STATE GOVERNMENT, A COUNTY, A MUNICIPALITY, OR A REGULARLY ORGANIZED VOLUNTEER FIRE DEPARTMENT THAT IS USED FOR PUBLIC PURPOSES MAY NOT BE CHARGED A STORMWATER REMEDIATION FEE UNDER THIS SECTION.**

(3)”.

AMENDMENT NO. 3

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 1 of Amendment No. 3, strike “**(3)**” and substitute “**(4)**”.

The preceding 3 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

CONFERENCE COMMITTEE REPORT

Senate Bill 150 – By The President (By Request – Administration):

Budget Bill (Fiscal Year 2013)

Introductory Remarks of the Honorable Edward J. Kasemeyer, Chairman Senate Budget and Taxation Committee regarding the Budget Bill Conference Committee Report.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 150 – THE BUDGET BILL

(See Exhibit P of Appendix III)

CONFERENCE COMMITTEE REPORT ON SENATE BILL 150 – THE BUDGET BILL AND SENATE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit Q of Appendix III)

Senator Kittleman moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #49

House Bill 1019 – Delegates Murphy, Barve, Branch, Carr, Frick, Gilchrist, Howard, Hubbard, Ivey, Kipke, Luedtke, Rosenberg, Ross, Stukes, Summers, ~~and Walker~~ Walker, and Cardin

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1369)

The Bill was then sent to the House of Delegates.

House Bill 1219 – Delegates Boteler, Branch, Cluster, George, Glass, Hixson, Hough, Ivey, Kach, McDermott, A. Miller, Myers, Norman, Stukes, Summers, F. Turner, Walker, and Weir

EMERGENCY BILL

AN ACT concerning

Primary and Secondary Education – Online Courses and Services – ~~Local Approval and Reporting Requirements~~ Development or Review and Approval

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1370)

The Bill was then sent to the House of Delegates.

House Bill 1223 – Delegate Guzzone

AN ACT concerning

Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1371)

The Bill was then sent to the House of Delegates.

House Bill 1228 – Delegate Bohanan

AN ACT concerning

Regional Higher Education Centers – Funding Formula

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1372)

The Bill was then sent to the House of Delegates.

House Bill 1278 – Delegate Cardin

AN ACT concerning

**Transportation – Institutions of Higher Education ~~and State Employment~~
Facilities – Bicycle and Pedestrian Access**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1373)

The Bill was then sent to the House of Delegates.

House Bill 1411 – Delegates George, Frush, and Lafferty

AN ACT concerning

**Environment – Water Management Administration – Wetlands and
Waterways Program Fees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 9 (See Roll Call No. 1374)

The Bill was then sent to the House of Delegates.

**House Joint Resolution 3 – Delegates Morhaim, Barve, Cardin, Cluster,
Costa, Feldman, Griffith, Holmes, Hubbard, Lafferty, McIntosh,
A. Miller, Nathan–Pulliam, Pena–Melnik, Ross, Stein, and
Waldstreicher**

A House Joint Resolution concerning

**Maryland Ratification of the 17th Amendment to the United States
Constitution**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1375)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE SENATE**BILL: SB 0020****SPONSOR:** Sen Astle**SUBJECT:** Vehicle Laws – Special and Commemorative Registration Plates

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Gladden, Chair

Senator Forehand

Senator Getty

The House appoints:

Delegate Malone, Chairman

Delegate Stein, and

Delegate McMillan.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.**MESSAGE TO THE SENATE****BILL: SB 0335****SPONSOR:** Chr B&T (Jud Comp Comm)**SUBJECT:** Judges' Retirement System – Contribution Rates for New Members

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Jones–Rodwell, Chair
Senator Madaleno
Senator Brinkley

The House appoints:
Delegate Griffith, Chairman
Delegate Conway, and
Delegate Eckardt.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB 0506

SPONSOR: Sen Raskin, et al

SUBJECT: Vehicle Laws – Provisional Driver’s Licenses – Driver Education Requirements

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Raskin, Chair
Senator Brochin
Senator Shank

The House appoints:
Delegate Malone, Chairman
Delegate Glenn, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 1331

SPONSOR: Del Carr, et al

SUBJECT: Residential Property Sales – Disclosure of Utility Consumption

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Niemann, Chairman
Delegate Glenn, and
Delegate McMillan.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 1331

SPONSOR: Del Carr, et al

SUBJECT: Residential Property Sales – Disclosure of Utility Consumption

The Senate does not recede in the Senate amendments.

The Senate respectfully requests the House reconsider and concur.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #41

AMENDED IN THE HOUSE

Senate Bill 253 – Senators Jacobs and Ferguson

AN ACT concerning

State Government – Administrative Procedure Act – ~~Proposed~~ Regulations

Senator Conway moved that the Senate concur in the House amendment.

SB0253/896882/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 253

(Third Reading File Bill)

On page 1, strike beginning with “requiring” in line 18 down through “circumstances;” in line 20.

On page 6, strike in their entirety lines 25 through 27, inclusive; and in line 28, strike “(E)” and substitute “(D)”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1376)

AMENDED IN THE HOUSE**Senate Bill 395 – Senator Jennings**

AN ACT concerning

**Health Occupations – Public Disclosure of Professional Credentials and
Reports on Advertising Regulations and Policies**

Senator Conway moved that the Senate concur in the House amendments.

SB0395/296685/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 395
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “circumstances;” insert “authorizing the Board to approve a certain certifying board if the certifying board requires certain physicians to meet certain qualifications;”.

AMENDMENT NO. 2

On page 5, after line 14, insert:

**“(B) THE BOARD MAY APPROVE A CERTIFYING BOARD UNDER
SUBSECTION (A)(2)(II) OF THIS SECTION ONLY IF THE CERTIFYING BOARD
REQUIRES THAT, IN ORDER TO BE CERTIFIED, THE PHYSICIAN:**

(1) COMPLETE A POSTGRADUATE TRAINING PROGRAM THAT:

**(I) PROVIDES COMPLETE TRAINING IN THE SPECIALTY OR
SUBSPECIALTY BEING CERTIFIED; AND**

**(II) IS ACCREDITED BY THE ACCREDITATION COUNCIL FOR
GRADUATE MEDICAL EDUCATION OR THE AMERICAN OSTEOPATHIC
ASSOCIATION; AND**

(2) BE CERTIFIED BY THE AMERICAN BOARD OF MEDICAL SPECIALTIES OR AMERICAN OSTEOPATHIC ASSOCIATION IN THE SAME TRAINING FIELD.”;

and in line 15, strike “**(B)**” and substitute “**(C)**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1377)

AMENDED IN THE HOUSE

Senate Bill 421 – Senator Mathias

AN ACT concerning

Public Safety – Explosives – Package of Components

Senator Conway moved that the Senate concur in the House amendments.

SB0421/932918/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 421

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “packaged together for sale and when combined create” and substitute “advertised and sold together with instructions on how to combine the components to create”.

AMENDMENT NO. 2

On page 2, strike beginning with “**PACKAGED**” in line 12 down through “**CREATE**” in line 13 and substitute “**ADVERTISED AND SOLD TOGETHER WITH INSTRUCTIONS ON HOW TO COMBINE THE COMPONENTS TO CREATE**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1378)

AMENDED IN THE HOUSE

Senate Bill 603 – Senators Montgomery and Conway

AN ACT concerning

Health Care Practitioners – Licensed Dentists, Physicians, and Podiatrists – Personally Preparing and Dispensing Prescription Drugs and Devices

Senator Conway moved that the Senate concur in the House amendments.

SB0603/516189/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 603 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “procedure,” insert “and”; in line 6, strike the first comma and substitute “requirements as a condition of being allowed to personally prepare and dispense prescription drugs or devices and to comply with certain”; in line 8, strike “or devices”; in line 14, after “boards;” insert “requiring certain licensing boards to charge a certain fee to certain holders of dispensing permits in a certain amount; requiring the revenues collected by the boards to be paid into the General Fund of the State; providing that a certain fee shall apply to dispensing permits issued or renewed on or after a certain date;”; and in line 15, after “requirement;” insert “providing for a delayed effective date;”.

On page 2, in line 2, after “12–102.1” insert “and 12–102.2”.

AMENDMENT NO. 2

On page 4 in lines 5 and 11 and on page 6 in line 12, in each instance, strike “**OR DEVICES**”.

On page 4, in line 15 and on page 6 in line 8, in each instance, strike “AND DEVICES”.

AMENDMENT NO. 3

On page 6, after line 31 insert:

“12-102.2.

(A) THE BOARD OF DENTAL EXAMINERS, THE BOARD OF PHYSICIANS, AND THE BOARD OF PODIATRIC MEDICAL EXAMINERS SHALL CHARGE A FEE TO A DENTIST, PHYSICIAN, OR PODIATRIST WHO HOLDS A DISPENSING PERMIT IN AN AMOUNT THAT WILL PRODUCE FUNDS TO APPROXIMATE BUT NOT EXCEED THE DOCUMENTED COSTS TO THE DIVISION OF DRUG CONTROL FOR INSPECTIONS OF DISPENSING PERMIT HOLDERS.

(B) REVENUES COLLECTED BY THE BOARD OF DENTAL EXAMINERS, THE BOARD OF PHYSICIANS, AND THE BOARD OF PODIATRIC MEDICAL EXAMINERS UNDER THIS SECTION SHALL BE PAID INTO THE GENERAL FUND OF THE STATE.”.

AMENDMENT NO. 4

On page 7, in lines 6, 8, 10, 12, and 14, strike “2013”, “2014”, “2015”, “2016”, and “2017”, respectively, and substitute “2014”, “2015”, “2016”, “2017”, and “2018”, respectively; after line 16, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the fee charged under § 12-102.2 of the Health Occupations Article, as enacted by Section 1 of this Act, shall apply to dispensing permits issued or renewed on or after July 1, 2013.”;

in line 17, strike “3.” and substitute “4.”; and in line 18, strike “2012” and substitute “2013”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1379)

AMENDED IN THE HOUSE**Senate Bill 605 – Senator Kelley**

AN ACT concerning

**Education – ~~Children in State Supervised Care – Geographical Attendance~~
~~Area~~ Domicile Requirements for Attendance – Exception**

Senator Conway moved that the Senate concur in the House amendments.

SB0605/715464/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 605

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, strike “a certain Act” and substitute “certain provisions of a certain federal law”.

AMENDMENT NO. 2

On page 4, in line 18, strike “**, AS AMENDED,**”; and in line 19, strike “**AND**”.

On page 5, in line 9, after the second “**THE**” insert “**FEDERAL**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1380)

AMENDED IN THE HOUSE

**Senate Bill 629 – Senator Conway (Chair, Education, Health, and
Environmental Affairs Committee)**

AN ACT concerning

State Board of Physicians – Sunset Extension and Program Evaluation

Senator Conway moved that the Senate concur in the House amendments.

SB0629/216185/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 629
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sunset Extension and Program Evaluation” and substitute “Appointment and Term of Chair”; in line 3, strike “continuing” and substitute “requiring the Governor to appoint the chair of”; and in the same line, after “Physicians” insert “; establishing the term of the office of the chair; and generally relating to appointment and term of the chair of the State Board of Physicians.”.

On pages 1 through 2, strike beginning with “in” in line 3 on page 1 down through “Supplement)” in line 28 on page 2.

On page 2, strike beginning with “14–206(d)(1)” in line 31 down through “14–702” in line 32 and substitute “14–203”.

AMENDMENT NO. 2

On page 2, after line 37, insert:

“14–203.

(A) (1) THE GOVERNOR SHALL APPOINT THE CHAIR OF THE BOARD.

(2) THE TERM OF OFFICE OF THE CHAIR IS 2 YEARS.

[(a)](B) From among its members, the Board shall elect [a chair and] any [other] officers, OTHER THAN THE CHAIR, that it considers necessary.

[(b)](C) The Board shall determine:

(1) The manner of election of officers;

(2) The term of office of each officer; and

(3) The duties of each officer.”.

On pages 2 through 17, strike in their entirety the lines beginning with line 38 on page 2 through line 2 on page 17, inclusive.

On page 17, in line 3, strike “8.” and substitute “2.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1381)

AMENDED IN THE HOUSE

Senate Bill 895 – Senator Conway

AN ACT concerning

Maryland State Board of Morticians and Funeral Directors – Permits and Registration Required to Remove and Transport Human Remains

Senator Conway moved that the Senate concur in the House amendment.

SB0895/106384/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 895

(Third Reading File Bill)

On page 6, in line 2, strike “AND”; after line 3, insert:

“(2) A CRIMINAL HISTORY RECORDS CHECK; AND”;

and in line 4, strike “(2)” and substitute “(3)”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1382)

AMENDED IN THE HOUSE

Senate Bill 921 – Senator Conway

AN ACT concerning

State Board of Nursing – Sunset Extension and Revisions

Senator Conway moved that the Senate concur in the House amendments.

SB0921/686081/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 921

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, strike “Department of Budget and Management” and substitute “Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management, to contract with an independent entity”; in the same line, after “certain” insert “management and”; strike beginning with “and” in line 17 down through “date” in line 18 and substitute “; requiring the Department of Health and Mental Hygiene and the Department of Budget and Management jointly to develop specifications for a certain solicitation; requiring the Department of Budget and Management to oversee a certain independent entity; requiring that the costs of a certain study be paid from the Board of Nursing Fund; requiring the Department of Budget and Management, on or before a certain date, to report to certain committees of the General Assembly on the results of a certain study”.

AMENDMENT NO. 2

On page 6, in line 8, after “(a)” insert “**(1)**”; in line 9, strike “Department of Budget and Management shall perform a” and substitute “Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management, shall contract with an independent entity to perform a management and”; strike beginning with “to” in line 9 down through “Nursing” in line 10; after line 10, insert:

“(2) The Department of Health and Mental Hygiene and the Department of Budget and Management jointly shall develop the specifications for the solicitation of the contract required under paragraph (1) of this subsection.

(3) (i) The Department of Budget and Management shall oversee the independent entity that is performing the management and personnel study required under paragraph (1) of this subsection.

(ii) The independent entity that is performing the management and personnel study required under paragraph (1) of this subsection shall report directly to the Department of Budget and Management regarding the study.

(4) The costs of the management and personnel study required under paragraph (1) of this subsection shall be paid from the Board of Nursing Fund established under § 8–206 of the Health Occupations Article.”;

in line 12, strike “(i) 1.” and substitute “(1)”; in line 14, strike “2.” and substitute “(2)”; in the same line, after “minimum” insert “:

(i)”;

in line 13, strike “and”; in line 15, strike the comma and substitute “:

(ii)”;

in line 16, strike the comma and substitute a semicolon; in the same line, after “and” insert “(iii)”; in line 18, strike “(ii)” and substitute “(3)”; in lines 19 and 20, strike “1.” and “2.”, respectively, and substitute “(i)” and “(ii)”, respectively; in line 21, strike “(iii)” and substitute “(4)”; in line 24, after “2013” insert a period; strike beginning with “and” in line 24 down through the period in line 27, and substitute:

“(d) On or before December 1, 2013, the Department of Budget and Management shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the results of the management and personnel study required under subsection (a) of this section.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1383)

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 401** SPONSOR: **Senator Pugh**

SUBJECT: **Motor Vehicles – Towing Practices and Procedures**

THIRD READING CALENDAR HOUSE NO. **39** SENATE NO. **41**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Environmental Matters Committee Amendments (SB0401/230010/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0401/983427/1) be adopted.

SB0401/983427/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 401

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 9, after “circumstances;” insert “authorizing a tower to charge certain persons for the actual costs of providing certain notice;”; and in line 17, after “period;” insert “requiring the Motor Vehicle Administration to establish and maintain a database containing certain addresses for certain insurers and make the database available to any tower free of charge;”.

AMENDMENT NO. 2

On page 18, in line 11, before “[A]” insert “(A)”; in line 26, after “STORAGE;” insert “AND”; and strike beginning with the first “AND” in line 28 down through “SECTION” in line 32.

AMENDMENT NO. 3

On page 19, in line 12, strike “72 HOURS” and substitute “3 DAYS, EXCLUSIVE OF DAYS THAT THE TOWING BUSINESS IS CLOSED.”; in line 14, strike “SECTION” and substitute “SUBSECTION”; and in line 17, strike “AND § 16–207 OF THE COMMERCIAL LAW ARTICLE”.

AMENDMENT NO. 4

On page 20, after line 10, insert:

“(B) THE ADMINISTRATION SHALL:

(1) ESTABLISH AND MAINTAIN A DATABASE CONTAINING THE PROPER ADDRESS FOR PROVIDING NOTICE TO AN INSURER UNDER SUBSECTION (A)(3) OF THIS SECTION FOR EACH INSURER AUTHORIZED TO WRITE A VEHICLE LIABILITY INSURANCE POLICY IN THE STATE; AND

(2) MAKE THE DATABASE AVAILABLE TO ANY TOWER FREE OF CHARGE.”

Senate Members:

House Members:

Chair,

Jamie Raskin

Chair,

Doyle L. Niemann

Joseph M. Getty

James E. Malone, Jr.

James Brochin

Herb McMillan

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk

(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1384)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 365 – Delegates Mitchell, Glenn, Anderson, Branch, Carter, Clippinger, Conaway, Hammen, Haynes, McHale, McIntosh, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington

AN ACT concerning

**Baltimore City – Nuisance Abatement and Local Code Enforcement –
Community Associations**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE CONFERENCE COMMITTEE REPORT.

BILL NO.: **HB 365** SPONSOR: **Delegate Mitchell**

SUBJECT: **Baltimore City – Nuisance Abatement and Local
Code Enforcement – Community Associations**

THIRD READING CALENDAR HOUSE NO. **13** SENATE NO. **2**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the Judicial Proceedings Committee Amendments (HB0365/628271/1) be rejected.

Senate Members:

House Members:

Chair, **Lisa A. Gladden**

Chair, **Cheryl D. Glenn**

James Brochin

Anne Healey

Brian E. Frosh

Patrick N. Hogan

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

Senator Gladden moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

House Bill 159 – Delegates Afzali, Barkley, Clagett, Elliott, Feldman, Gaines, Glass, Hershey, Hogan, Ivey, Jacobs, A. Kelly, Krebs, Luedtke, McComas, McDermott, McHale, A. Miller, Myers, Niemann, Otto, Parrott, Ready, Ross, Schulz, Sophocleus, Walker, and Wilson

AN ACT concerning

Agriculture – Maryland Standard of Identity for Honey

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Brinkley moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 150 – The President (By Request – Administration)

**Budget Bill
(Fiscal Year 2013)**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE CONFERENCE COMMITTEE REPORT.

Senate Bill 150 – By The President (By Request – Administration):

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 150 –
THE BUDGET BILL

(See Exhibit P of Appendix III)

CONFERENCE COMMITTEE
REPORT ON SENATE BILL 150 – THE BUDGET BILL AND
SENATE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit Q of Appendix III)

Conference Committee Report read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 1385)

The Bill was then sent to the House of Delegates.

**House Bill 987 – Delegates Hucker, Bobo, Carr, Frush, Gilchrist, Glenn,
Gutierrez, Holmes, Kramer, Lafferty, Luedtke, Niemann, S. Robinson,
Waldstreicher, ~~and Zucker~~ Zucker, and Cardin**

AN ACT concerning

Stormwater Management – Watershed Protection and Restoration Program

STATUS OF BILL: BILL IS ON THIRD READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

HB0987/813322/1

BY: Senator Raskin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 19, after “charges;” insert “exempting certain property from paying the stormwater remediation fee;”.

AMENDMENT NO. 2

On page 4 of the bill, in line 10, after “IN” insert “PARAGRAPH (2) OF THIS SUBSECTION AND”; and in line 14, after “(2)” insert “PROPERTY OWNED BY THE STATE, A UNIT OF STATE GOVERNMENT, A COUNTY, A MUNICIPALITY, OR A REGULARLY ORGANIZED VOLUNTEER FIRE DEPARTMENT THAT IS USED FOR PUBLIC PURPOSES MAY NOT BE CHARGED A STORMWATER REMEDIATION FEE UNDER THIS SECTION.”

(3)”.

AMENDMENT NO. 3

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 1 of Amendment No. 3, strike “**(3)**” and substitute “**(4)**”.

The preceding 3 amendments were read and adopted by a roll call vote as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 1386)

FLOOR AMENDMENT

HB0987/383629/1

BY: Senator Kittleman

AMENDMENT TO HOUSE BILL 987

(Third Reading File Bill)

On page 3, in line 17, strike “**PARAGRAPH**” and substitute “**PARAGRAPHS**”; in the same line, after “**(2)**” insert “**AND (3)**”; and after line 26, insert:

“(3) THIS SECTION DOES NOT APPLY TO CARROLL COUNTY.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 32 (See Roll Call No. 1387)

FLOOR AMENDMENT

HB0987/863926/1

BY: Senator Brinkley

AMENDMENT TO HOUSE BILL 987

(Third Reading File Bill)

On page 3, in line 17, strike “**PARAGRAPH**” and substitute “**PARAGRAPHS**”; in the same line, after “**(2)**” insert “**AND (3)**”; and after line 26, insert:

“(3) THIS SECTION DOES NOT APPLY TO FREDERICK COUNTY.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 31 (See Roll Call No. 1388)

FLOOR AMENDMENT

HB0987/913824/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 19, after “charges;” insert “exempting certain property from paying the stormwater remediation fee;”.

AMENDMENT NO. 2

On page 4 of the bill, in line 10, after “IN” insert “PARAGRAPH (2) OF THIS SUBSECTION AND”; and in line 14, after “(2)” insert “PROPERTY OWNED BY A NONPROFIT ORGANIZATION, HOSPITAL, INSTITUTION OF HIGHER EDUCATION, PRIVATE NONPUBLIC ELEMENTARY OR SECONDARY SCHOOL, OR PLACE OF WORSHIP MAY NOT BE CHARGED A STORMWATER REMEDIATION FEE UNDER THIS SECTION.”

(3)”.

AMENDMENT NO. 3

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 1 of Amendment No. 3, strike “**(3)**” and substitute “**(4)**”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 33 (See Roll Call No. 1389)

FLOOR AMENDMENT

HB0987/703524/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 3 of Amendment No. 1, after “fee,” insert “limiting the stormwater remediation fee to a certain amount for a certain customer.”

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 2, after “MUNICIPALITY,” insert:

“(3) THE STORMWATER REMEDIATION FEE COLLECTED FROM A RESIDENTIAL CUSTOMER MAY NOT EXCEED \$60 ANNUALLY.”

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 1 of Amendment No. 3, strike “**(3)**” and substitute “**(4)**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 30 (See Roll Call No. 1390)

FLOOR AMENDMENT

HB0987/743223/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 3 of Amendment No. 1, after “fee,” insert “limiting the stormwater remediation fee to a certain amount for a certain customer.”

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 2, after “MUNICIPALITY,” insert:

“(3) THE STORMWATER REMEDIATION FEE COLLECTED FROM A RESIDENTIAL CUSTOMER MAY NOT EXCEED \$500 ANNUALLY.”

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 1 of Amendment No. 3, strike “**(3)**” and substitute “**(4)**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 19 Negative – 27 (See Roll Call No. 1391)

FLOOR AMENDMENT

HB0987/333821/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 3 of Amendment No. 1, after “fee,” insert “limiting the stormwater remediation fee to a certain amount for a certain customer.”

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 2, after “**MUNICIPALITY**,” insert:

“(3) THE STORMWATER REMEDIATION FEE COLLECTED FROM A RESIDENTIAL CUSTOMER MAY NOT EXCEED \$2,000 ANNUALLY.”

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 1 of Amendment No. 3, strike “**(3)**” and substitute “**(4)**”.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

CONFERENCE COMMITTEE REPORT**Senate Bill 151 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012,
and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008,
2009, 2010, and 2011**

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 151 –
THE CAPITAL BUDGET

(See Exhibit R of Appendix III)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 40 Negative – 7 (See Roll Call No. 1392)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

**House Bill 987 – Delegates Hucker, Bobo, Carr, Frush, Gilchrist, Glenn,
Gutierrez, Holmes, Kramer, Lafferty, Luedtke, Niemann, S. Robinson,
Waldstreicher, ~~and Zucker~~ Zucker, and Cardin**

AN ACT concerning

Stormwater Management – Watershed Protection and Restoration Program

STATUS OF BILL: BILL IS ON THIRD READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

HB0987/333821/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 3 of Amendment No. 1, after “fee,” insert “limiting the stormwater remediation fee to a certain amount for a certain customer.”

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 2, after “MUNICIPALITY,” insert:

“(3) THE STORMWATER REMEDIATION FEE COLLECTED FROM A RESIDENTIAL CUSTOMER MAY NOT EXCEED \$2,000 ANNUALLY.”

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 1 of Amendment No. 3, strike “**(3)**” and substitute “**(4)**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 17 Negative – 30 (See Roll Call No. 1393)

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 644 SPONSOR: Delegate Oaks

SUBJECT: Environment – Reducing the Incidence of Lead Poisoning

THIRD READING CALENDAR HOUSE NO. 31 SENATE NO. 38

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Judicial Proceedings Committee Amendments (HB0644/768075/1) be adopted.

(2) That the attached Senate Judicial Proceedings Amendments (HB0644/238072/1) be adopted.

(3) That the attached Conference Committee Amendments (HB0644/283520/1) be adopted.

HB0644/768075/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 644 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “date;” insert “exempting certain properties built between certain dates from certain requirements relating to certain risk reduction standards;”; and strike beginning with “establishing” in line 8 down through “evidence;” in line 10 and substitute “providing for the admissibility of certain evidence in certain actions for damages for alleged injury or loss caused by the ingestion of lead; requiring a court to require a certain party, the party’s attorney, or both to pay certain costs under certain circumstances;”.

On page 2, in line 4, after “6–801(b),” insert “6–817(a)(1) and (b)(1), 6–819(f),”; after line 6, insert:

“BY repealing

Article – Environment

Section 6–838

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)”;

and in line 9, strike “6–830.1” and substitute “6–838”.

AMENDMENT NO. 2

On page 2, after line 33, insert:

“6–817.

(a) (1) [On] EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE, ON and after February 24, 2001, an owner of affected properties shall ensure that at least 50% of

the owner's affected properties have satisfied the risk reduction standard specified in § 6-815(a) of this subtitle, without regard to the number of affected properties in which there has been a change in occupancy.

(b) (1) [On] EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE, ON and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk resides, and of whom the owner has been notified in writing, have satisfied the risk reduction standard specified in § 6-815(a) of this subtitle.

6-819.

(f) Except as provided in § 6-817(b) of this subtitle AND EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE, on and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk does not reside have satisfied the modified risk reduction standard.”.

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 26 on page 3 through line 6 on page 4, inclusive, and substitute:

“[6-838.

(a) An owner of an affected property that is not in compliance with the provisions of Part IV of this subtitle during the period of residency of the person at risk is presumed to have failed to exercise reasonable care with respect to lead hazards during that period in an action seeking damages for alleged injury or loss caused by the ingestion of lead by a person at risk in the affected property.

(b) The owner has the burden of rebutting the presumption established under subsection (a) of this section by a preponderance of the evidence.].

6-838.

(A) (1) IN AN ACTION SEEKING DAMAGES FOR ALLEGED INJURY OR LOSS CAUSED BY THE INGESTION OF LEAD BY A PERSON AT RISK IN AN

AFFECTED PROPERTY, EVIDENCE THAT THE OWNER OF THE AFFECTED PROPERTY WAS IN COMPLIANCE WITH THE PROVISIONS OF PART IV OF THIS SUBTITLE DURING THE PERIOD OF RESIDENCY OF THE PERSON AT RISK IS ADMISSIBLE AS EVIDENCE THAT THE OWNER EXERCISED REASONABLE CARE WITH RESPECT TO LEAD HAZARDS DURING THAT PERIOD.

(2) IN AN ACTION SEEKING DAMAGES FOR ALLEGED INJURY OR LOSS CAUSED BY THE INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY, EVIDENCE THAT THE OWNER OF THE AFFECTED PROPERTY WAS NOT IN COMPLIANCE WITH THE PROVISIONS OF PART IV OF THIS SUBTITLE DURING THE PERIOD OF RESIDENCY OF THE PERSON AT RISK IS ADMISSIBLE AS EVIDENCE THAT THE OWNER FAILED TO EXERCISE REASONABLE CARE WITH RESPECT TO LEAD HAZARDS DURING THAT PERIOD.

(B) IF A PARTY TO AN ACTION FOR DAMAGES ARISING FROM INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY ALLEGES OR DENIES THE TIME AND PLACE OF RESIDENCE OF THE PERSON AT RISK WITHOUT A GOOD FAITH BASIS FOR THE ALLEGATION OR DENIAL, THE COURT SHALL REQUIRE THE OFFENDING PARTY, THE PARTY'S ATTORNEY, OR BOTH TO PAY THE REASONABLE COSTS, INCLUDING ATTORNEY'S FEES, INCURRED BY THE ADVERSE PARTY IN OPPOSING THE ALLEGATION OR DENIAL."

HB0644/238072/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 644, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (HB0644/768075/1), in line 4 of Amendment No. 2, strike "1997" and substitute "1977".

On page 2 of the Judicial Proceedings Committee Amendments, in lines 6 and 14, in each instance, strike "1997" and substitute "1977".

HB0644/283520/1

BY: Conference Committee

AMENDMENT TO HOUSE BILL 644, AS AMENDED
(Third Reading File Bill)

On page 3 of the Judicial Proceedings Committee Amendments (HB0644/768075/1), in the fifth line from the bottom of Amendment No. 3, after the second “**OF**” insert “**OR VISITATION BY.**”.

Senate Members:

House Members:

Chair, **Brian E. Frosh**

Chair, **Doyle L. Niemann**

Lisa A. Gladden

Pamela Beidle

Joseph M. Getty

Patrick N. Hogan

Read in the Senate: _____ Read in the House of Delegates: _____

[illegible]

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 1394)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 865 **SPONSOR: Delegate Pena-Melnyk**

SUBJECT: State Procurement – Disclosure – Location of the Performance of Services

THIRD READING CALENDAR HOUSE NO. 61 SENATE NO. 37

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Education, Health, and Environmental Affairs Committee amendments (HB0865/234933/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0865/763229/1) be adopted.

HB0865/763229/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 865

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “States,” insert “prohibiting a public employer from knowingly contracting for certain services unless the services are to be provided in the United States, except under certain circumstances; requiring the Board of Public Works to adopt certain regulations;”; and strike beginning with “providing” in line 15 down through “Act;” in line 16.

AMENDMENT NO. 2

On page 3, after line 23, insert:

“(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PUBLIC EMPLOYER MAY NOT KNOWINGLY CONTRACT FOR THE FOLLOWING SERVICES UNLESS THE SERVICES ARE TO BE PROVIDED IN THE UNITED STATES:

(I) ARCHITECTURAL SERVICES;

(II) CONSTRUCTION SERVICES;

(III) ENGINEERING SERVICES; OR

(IV) ENERGY PERFORMANCE CONTRACT SERVICES.

(2) A PUBLIC EMPLOYER MAY CONTRACT FOR SERVICES LISTED IN PARAGRAPH (1) OF THIS SUBSECTION THAT ARE PROVIDED OUTSIDE THE UNITED STATES, IF:

(I) THE SERVICES ARE NOT AVAILABLE IN THE UNITED STATES;

(II) THE PRICE OF THE SERVICES IN THE UNITED STATES EXCEEDS BY AN UNREASONABLE AMOUNT THE PRICE OF SERVICES PROVIDED OUTSIDE THE UNITED STATES; OR

(III) THE QUALITY OF THE SERVICES IN THE UNITED STATES IS SUBSTANTIALLY LESS THAN THE QUALITY OF COMPARABLY PRICED SERVICES PROVIDED OUTSIDE THE UNITED STATES.

(3) THE BOARD SHALL ADOPT REGULATIONS DEFINING THE FOLLOWING TERMS FOR THE PURPOSES OF THIS SUBSECTION:

(I) “UNREASONABLE AMOUNT”; AND

(II) “SUBSTANTIALLY LESS”.

On page 5, strike beginning with “It” in line 7 down through “effect.” in line 9.

Senate Members:

House Members:

Chair, **Paul G. Pinsky**

Chair, **Joseline A. Pena-Melnyk**

Edward R. Reilly

Nathaniel T. Oaks

Karen S. Montgomery

Justin Ready

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1395)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 659** SPONSOR: **Senator Pinsky**

SUBJECT: **State Procurement – Preference and Disclosure
– Location of the Performance of Services**

THIRD READING CALENDAR HOUSE NO. **25** SENATE NO. **38**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Health and Government Operations Committee Amendments (SB0659/586085/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0659/473920/1) be adopted.

SB0659/473920/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 659

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Preference and”; in line 13, strike “the State or”; strike beginning with “a” in line 18 down through “term” in line 19 and substitute “certain terms”; and strike beginning with “preferences” in line 20 down through “and” in line 21.

On page 2, in line 2, strike “14–413” and substitute “12–110”.

AMENDMENT NO. 2

On page 2, in line 23, strike “14-413” and substitute “12-110”; in line 24, after “(A)” insert “(1)”; in the same line, strike “, “PUBLIC EMPLOYER”” and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2) “PUBLIC EMPLOYER”;

in lines 25, 26, 27, 28, and 29, respectively, strike “(1)”, “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, and “(V)”, respectively; and after line 29, insert:

“(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, “SERVICES” HAS THE MEANING STATED IN § 11-101(T) OF THIS ARTICLE.

(II) “SERVICES” INCLUDES:

- 1. CONSTRUCTION-RELATED SERVICES;**
- 2. ARCHITECTURAL SERVICES;**
- 3. ENGINEERING SERVICES; OR**
- 4. ENERGY PERFORMANCE CONTRACT SERVICES.”.**

On page 3, in line 6, strike “ANTICIPATES THAT THE BIDDER”; in line 7, after “CONTRACTOR” insert “THAT”; in line 8, strike “WILL” and substitute “HAS PLANS, AT THE TIME THE BID IS SUBMITTED, TO”; and in lines 9, 11, and 14, in each instance, strike “THE STATE OR”.

Senate Members:

House Members:

Chair, **Paul G. Pinsky**

Chair, **Joseline A. Pena-Melnyk**

Edward R. Reilly

Nathaniel T. Oaks

Karen S. Montgomery

Justin Ready

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk

(X) Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1396)

The Bill was then sent to the House of Delegates.**CONFERENCE COMMITTEE REPORT****BILL NO.: SB 335 SPONSOR: Ch., Budget & Tax****SUBJECT: Judges' Retirement System – Contribution
Rates for New Members****THIRD READING CALENDAR HOUSE NO. 36 SENATE NO. 27**

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Appropriations Committee Amendments (SB0335/454068/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0335/293325/1) be adopted.

SB0335/293325/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 335

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “for New Members” and substitute “and Vesting Requirements”; strike beginning with “individuals” in line 3 down through “become” in line 4; in line 4, strike “on or after a certain date”; strike beginning with “altering” in line 5 down through “Act;” in line 7 and substitute “requiring individuals who become members of the Judges’ Retirement System on or after a certain date to earn a certain amount of eligibility service before becoming eligible to receive certain retirement allowances; altering the calculation of a normal service retirement allowance for certain members in the Judges’ Retirement System;”; in line 10, after “27–202” insert “, 27–401, and 27–402(c)”; strike in their entirety lines 13 through 18, inclusive; and after line 18, insert:

“BY repealing

Article – State Personnel and Pensions

Section 29–301

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 29–301

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 3, strike the brackets; in the same line, strike “**SUBSECTIONS (B) AND (C)**”; in line 4, strike “6%” and substitute “8%”; and strike beginning with “**THE**” in line 5 down through “**(C)**” in line 8.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 10 through 22, inclusive, and substitute:

“27–401.

(A) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES’ RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.

(2) A member or former member is entitled to a retirement allowance:

[(1)] (I) on termination of service, if the member is at least 60 years old;

[(2)] (II) on the recommendation of the medical board, if the member or former member resigns because of disability;

[(3)] (III) when retired by order of the Court of Appeals; or

[(4)] (IV) at the age of 60 years, if the former member's termination of service occurred earlier.

(B) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(2) A MEMBER OR FORMER MEMBER IS ENTITLED TO A RETIREMENT ALLOWANCE:

(I) ON TERMINATION OF SERVICE, IF THE MEMBER IS AT LEAST 60 YEARS OLD AND HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE;

(II) ON THE RECOMMENDATION OF THE MEDICAL BOARD, IF THE MEMBER OR FORMER MEMBER RESIGNS BECAUSE OF DISABILITY;

(III) WHEN RETIRED BY ORDER OF THE COURT OF APPEALS;
OR

(IV) AT THE AGE OF 60 YEARS, IF THE FORMER MEMBER'S TERMINATION OF SERVICE OCCURRED EARLIER AND THE FORMER MEMBER HAD AT LEAST 5 YEARS OF ELIGIBILITY SERVICE WHEN THE FORMER MEMBER TERMINATED SERVICE.

27-402.

(c) (1) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO IS A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2012.

(II) On retirement under this subtitle by a retiree who has less than 16 years of service credit as a member, the retiree is entitled to a reduced retirement allowance that equals the retirement allowance computed under subsection (a) or (b) of this section multiplied by a fraction that has:

[(1)] 1. for its numerator, the number of years of service credit as a member; and

[(2)] 2. for its denominator, 16.

(2) (I) THIS PARAGRAPH APPLIES ONLY TO AN INDIVIDUAL WHO BECOMES A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2012.

(II) ON RETIREMENT UNDER THIS SUBTITLE BY A RETIREE WHO HAS AT LEAST 5 YEARS BUT LESS THAN 16 YEARS OF SERVICE CREDIT AS A MEMBER, THE RETIREE IS ENTITLED TO A REDUCED RETIREMENT ALLOWANCE THAT EQUALS THE RETIREMENT ALLOWANCE COMPUTED UNDER SUBSECTION (A) OR (B) OF THIS SECTION MULTIPLIED BY A FRACTION THAT HAS:

1. FOR ITS NUMERATOR, THE NUMBER OF YEARS OF SERVICE CREDIT AS A MEMBER; AND

2. FOR ITS DENOMINATOR, 16.

[29-301.

This subtitle does not apply to the Judges' Retirement System.]

29-301.

(A) THIS SECTION APPLIES ONLY TO A MEMBERS OF THE JUDGES' RETIREMENT SYSTEM WHO BECOMES A MEMBER ON OR AFTER JULY 1, 2012.

(B) (1) A MEMBER MAY ELECT TO RECEIVE A VESTED ALLOWANCE IF:

(I) THE MEMBER IS SEPARATED FROM EMPLOYMENT OTHER THAN BY DEATH OR RETIREMENT; AND

(II) THE MEMBER HAS AT LEAST 5 YEARS OF ELIGIBILITY SERVICE.

(2) A MEMBER IS DEEMED TO HAVE ELECTED A VESTED ALLOWANCE, UNLESS THE MEMBER REQUESTS THE RETURN OF THE ACCUMULATED CONTRIBUTIONS BEFORE MEMBERSHIP ENDS.

(C) A VESTED ALLOWANCE IS A DEFERRED ALLOWANCE STARTING AT AGE 60.

(D) A VESTED ALLOWANCE:

(1) IS COMPUTED AS A RETIREMENT ALLOWANCE UNDER § 27-402 OF THIS ARTICLE ON THE BASIS OF THE FORMER MEMBER'S CREDITABLE SERVICE AT THE TIME OF SEPARATION FROM EMPLOYMENT; AND

(2) MAY BE PAID IN ONE OF THE OPTIONAL FORMS OF ALLOWANCES UNDER § 21-403 OF THIS ARTICLE, IF AT RETIREMENT, THE MEMBER DOES NOT HAVE A SPOUSE OR CHILD UNDER THE AGE OF 18.

(E) (1) IF A FORMER MEMBER WHO ELECTED A VESTED ALLOWANCE REQUESTS THE RETURN OF ACCUMULATED CONTRIBUTIONS BEFORE PAYMENT OF THE VESTED ALLOWANCE BEGINS, THE BOARD OF TRUSTEES SHALL RETURN THE ACCUMULATED CONTRIBUTIONS TO THE FORMER MEMBER.

(2) WHEN ACCUMULATED CONTRIBUTIONS ARE RETURNED TO A FORMER MEMBER, THE FORMER MEMBER IS NOT ENTITLED TO FURTHER BENEFITS ON ACCOUNT OF THE FORMER MEMBER'S PREVIOUS MEMBERSHIP."

AMENDMENT NO. 4

On page 2, in line 23, strike "4." and substitute "2."; and strike beginning with the second comma in line 23 down through "Act," in line 24.

Senate Members:

House Members:

Chair, **Verna L. Jones–Rodwell**

Chair, **Melony G. Griffith**

Richard S. Madaleno, Jr.

Norman H. Conway

David R. Brinkley

Adelaide C. Eckardt

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk

(X) Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1397)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 987 – Delegates Huckler, Bobo, Carr, Frush, Gilchrist, Glenn, Gutierrez, Holmes, Kramer, Lafferty, Luedtke, Niemann, S. Robinson, Waldstreicher, ~~and Zucker~~ Zucker, and Cardin

AN ACT concerning

Stormwater Management – Watershed Protection and Restoration Program

STATUS OF BILL: BILL IS ON THIRD READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

HB0987/973920/1

BY: Senator Pipkin

AMENDMENT TO HOUSE BILL 987, AS AMENDED

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 2 of Amendment No. 4, strike “**FOR**” and substitute “**(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR**”; in lines 6, 7, and 10, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**1.**”, “**2.**”, and “**3.**”, respectively; and in line 13, after “**MUNICIPALITY.**” insert:

“(II) AN ON-SITE INSPECTION MAY BE CONDUCTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ONLY WITH THE PERMISSION OF THE OWNER OF THE PROPERTY.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 31 (See Roll Call No. 1398)

FLOOR AMENDMENT

HB0987/843625/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “charges;” insert “authorizing a county or municipality to impose a certain stormwater remediation fee only on a property for which an initial occupancy permit is obtained after a certain date;”.

AMENDMENT NO. 2

On page 5, after line 12, insert:

“(5) A COUNTY OR MUNICIPALITY MAY IMPOSE A STORMWATER REMEDIATION FEE ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION ONLY ON A PROPERTY FOR WHICH AN INITIAL OCCUPANCY PERMIT IS OBTAINED AFTER JULY 1, 2012.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 13 Negative – 32 (See Roll Call No. 1399)

FLOOR AMENDMENT

HB0987/373428/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987, AS AMENDEDAMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 3 of Amendment No. 1, after “fee,” insert “limiting the stormwater remediation fee to a certain amount for a certain customer”.

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 2, after “MUNICIPALITY,” insert:

“(3) THE STORMWATER REMEDIATION FEE COLLECTED FROM A NONRESIDENTIAL CUSTOMER MAY NOT EXCEED \$2,000 ANNUALLY.”

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 1 of Amendment No. 3, strike “**(3)**” and substitute “**(4)**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 31 (See Roll Call No. 1400)

FLOOR AMENDMENT

HB0987/203223/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, after “program,” insert “authorizing a county or municipality to cease operation and enforcement of a watershed protection and restoration program on or after a certain date”.

AMENDMENT NO. 2

On page 8, in line 25, after “**(K)**” insert “**BEGINNING JULY 1, 2030, A COUNTY OR MUNICIPALITY MAY CEASE OPERATION AND ENFORCEMENT OF A WATERSHED PROTECTION AND RESTORATION PROGRAM ESTABLISHED UNDER THIS SECTION.**”

(L)”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 13 Negative – 31 (See Roll Call No. 1401)

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

CONFERENCE COMMITTEE REPORT

CONFERENCE COMMITTEE REPORT ON SENATE BILL 150 – THE BUDGET BILL
AND SENATE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit Q of Appendix IV)

BILL NO.: SB 152 SPONSOR: The President

**SUBJECT: Budget Reconciliation and Financing Act of
2012**

THIRD READING CALENDAR HOUSE NO. 8 SENATE NO. 36

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Appropriations Committee Amendments (SB0152/534369/1) be rejected.

(2) That the attached Conference Committee Amendments
(SB0152/463623/1) be adopted.

SB0152/463623/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 152

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “funds;” insert “requiring certain appropriations to certain counties;”; strike beginning with “repealing” in line 6 down through “site;” in line 13; in line 20, after “education” insert “in a certain fiscal year”; in line 23, after “amount;” insert “adding St. Mary’s College of Maryland to the list of public senior higher education institutions eligible for money from the Higher Education Investment Fund; clarifying language relating to the Higher Education Investment Fund;”; and in line 25, after “fees;” insert “authorizing the Department of Health and Mental Hygiene to impose a certain claims processing charge on certain Medicaid claims; setting a limit on the claims processing charge; requiring the Department of Health and Mental Hygiene to adopt certain regulations;”.

On page 2, strike beginning with “requiring” in line 3 down through “law;” in line 8; in line 13, after “facilities;” insert “requiring that certain proceeds of a certain account be transferred into the Mental Hygiene Community–Based Services Fund; repealing a certain provision related to the Injured Workers’ Insurance Fund;”; in line 18, after “Fund;” insert “requiring the Department of Budget and Management, in coordination with the Department of General Services, to take certain actions in connection with a certain program of maintenance and repair of public improvements, including establishing certain budgetary procedures and allocating certain costs; requiring the Governor to include in the State budget certain amounts for certain fiscal years in a certain manner; establishing the Facility Maintenance and Repair Fund as a special, nonlapsing fund; providing for the purposes, use, and funding of the Facility Maintenance and Repair Fund; requiring the Secretary of Budget and Management and the Secretary of General Services to submit certain annual reports on or before a certain date; requiring the Governor to allocate certain proceeds to the Facility Maintenance and Repair Fund;”; in line 18, strike “requiring” and substitute “providing”; strike beginning with “as” in line 18 down through “Account;” in line 23 and substitute “or otherwise subject to the direction or control of a State official as a result of a certain settlement, judgment, or consent decree shall be deposited in the State treasury, shall be expended only in a certain manner, and may be transferred by budget amendment; providing for a certain exception; authorizing certain State officials to recommend certain restrictions on the use of certain payments; requiring certain State officials to make certain requests; establishing a Mortgage Loan”.

Servicing Practices Fund as a continuing, nonlapsing fund; requiring certain funds to be credited to the Mortgage Loan Servicing Practices Fund; providing for the use of the Mortgage Loan Servicing Practices Fund; requiring the Governor to take certain actions in connection with each program, project, or activity receiving certain funds; exempting certain interest earnings from a requirement that certain interest accrue to the General Fund;”; in line 39, after “Index;” insert “altering a certain surcharge on a certain motor vehicle registration fee; prohibiting certain regulations adopted by the Secretary of Health and Mental Hygiene from applying to certain prior calendar years;”; and in line 45, after “adjustment;” insert “extending the termination date for the authority for the operation of certain instant bingo games using electronic machines; prohibiting the payment of certain merit increases for certain State employees for a certain period; requiring certain reports to be submitted to certain committees of the General Assembly;”.

On page 3, strike beginning with “authorizing” in line 22 down through “contingency;” in line 23 and substitute “authorizing a county board of education to spend certain funds after approval by the county fiscal authority; requiring the county fiscal authority to approve the amount of certain funds within a certain period of time; providing that failure to take action constitutes approval by the county fiscal authority under certain circumstances;”; in line 35, after “circumstances;” insert “providing that a certain transfer resolves certain claims;”; strike beginning with “the” in line 37 down through “money” in line 38 and substitute “certain money received by the State”; in line 38, after “amendment” insert “, except under certain circumstances”; in line 41, after “manner;” insert “requiring that for a certain fiscal year the maintenance of effort calculation for Baltimore City exclude certain reductions in the cost of health benefits for retired employees of the Baltimore City Public School System under certain circumstances; providing that a certain provision of law does not apply to a certain process for awarding a video lottery operation license; authorizing certain counties to reduce a certain education funding requirement in a certain fiscal year under certain circumstances; requiring the Governor to reduce certain appropriations by a certain amount and to propose certain additional reduction for a certain fiscal year under certain circumstances;”; in line 44, after “State” insert “and local”; and after line 45, insert:

“BY repealing,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1104

Annotated Code of Maryland

(2011 Replacement Volume)”.

On page 4, strike in their entirety lines 5 through 14, inclusive; in line 22, strike “10–523(3)(i)” and substitute “10–523(a)(3)(i)”; in line 27, after “5–103(c),” insert “5–105(c),”; in the same line, after “5–206(f)(2),” insert “15–106.6(a)(3) and (b)(9),”; and in line 33, after “Section” insert “5–105(d),”.

On page 5, in line 13, strike “and 19–310.1(b)(2)” and substitute “19–310.1(b)(2), and 24–1105”; after line 35, insert:

“BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 3–101 and 6–226(a)(2)(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)”;

and in line 38, strike “7–310.1” and substitute “3–612, 6–226(a)(2)(ii)64, 7–310.1, and 7–328”.

On page 6, after line 1, insert:

“BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)62 and 63 and 8–129

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)”;

and in line 35, strike “and 12–118(e)(2)” and substitute “12–118(e)(2), and 13–954”.

On page 7, in line 7, after “Section” insert “2 and”; after line 10, insert:

“BY repealing and reenacting, with amendments,

Chapter 474 of the Acts of the General Assembly of 2008, as amended by

Chapter 661 of the Acts of the General Assembly of 2009

Section 2”;

in line 13, after “11” insert “and 24”; and after line 29, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 5–105(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On pages 8 through 10, strike in their entirety the lines beginning with line 13 on page 8 through line 12 on page 10, inclusive.

AMENDMENT NO. 3

On page 11, in line 22, before “(3)” insert “(a)”; strike beginning with “1.” in line 26 down through the first bracket in line 30 and substitute:

“1. FOR FISCAL YEARS 2013 AND 2014, \$2,875,000;
AND
2.”.

AMENDMENT NO. 4

On page 15, after line 5, insert:

“15–106.6.

(a) (3) “Public Senior Higher Education Institution” has the meaning stated in § 10–101(m)[(1) and (2)] of this article.

(b) (9) Money in the Fund may be expended only:

(i) To supplement General Fund appropriations to [public senior higher education institutions and] research institutes of the University System of Maryland AND PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS;

(ii) For capital projects for [public senior higher education institutions and] research institutes of the University System of Maryland AND PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS;

(iii) For workforce development initiatives administered by the Commission; and

(iv) For initiatives to address higher education needs related to the United States Department of Defense Base Realignment and Closure process.".

AMENDMENT NO. 5

On page 16, in lines 3, 9, 15, 21, and 27, strike "19.3%", "18.8%", "18.4%", "17.9%", and "19.7%", respectively, and substitute "19.7%", "19.7%", "19%", "19%", and "20%", respectively.

On page 19, in line 36, strike "59.6%" and substitute "61%".

On page 20, in lines 6, 12, and 18, strike "58.3%", "56.9%", and "55.6%", respectively, and substitute "61%", "58%", and "58%", respectively.

On page 22, in lines 8, 13, 17, and 21, strike "9.2%", "9.0%", "8.7%", and "8.5%", respectively, and substitute "9.4%", "9.4%", "9%", and "9%", respectively.

On page 23, in line 6, strike "\$38,445,958" and substitute "\$38,056,175".

AMENDMENT NO. 6

On pages 27 and 28, strike in their entirety the lines beginning with line 26 on page 27 through line 10 on page 28, inclusive.

AMENDMENT NO. 7

On page 32, after line 10, insert:

"3-101.

- (a) In this title the following words have the meanings indicated.
- (b) "Department" means the Department of Budget and Management.
- (c) "Secretary" means the Secretary of Budget and Management.

3-612.

(A) THE GENERAL ASSEMBLY FINDS THAT THE EXISTING FUNDING, PERSONNEL, AND TECHNOLOGY SUPPORTING THE DEPARTMENT OF GENERAL SERVICES FACILITY RENEWAL AND MAINTENANCE PROGRAMS ARE

INADEQUATE TO EFFICIENTLY AND EFFECTIVELY OPERATE STATE PREVENTIVE MAINTENANCE AND REPAIR PROGRAMS.

(B) TO IMPROVE THE REGULAR MAINTENANCE AND REPAIR OF STATE FACILITIES AND REDUCE THE DETERIORATION OF PUBLIC IMPROVEMENTS THAT RESULTS IN INCREASED REPAIRS OF EXISTING FACILITIES OR CONSTRUCTION OF ENTIRELY NEW REPLACEMENT FACILITIES, THE DEPARTMENT, IN COORDINATION WITH THE DEPARTMENT OF GENERAL SERVICES, SHALL TAKE THE ACTIONS NECESSARY TO ALLOCATE SUFFICIENT FUNDS AND PERSONNEL TO ADMINISTER A COMPREHENSIVE AND CONTINUING PROGRAM OF MAINTENANCE AND REPAIR OF PUBLIC IMPROVEMENTS SUPPORTED THROUGH THE FACILITY MAINTENANCE AND RENEWAL FUND UNDER SUBSECTION (G) OF THIS SECTION.

(C) TO SUPPORT THE DEPARTMENT OF GENERAL SERVICES FACILITY MAINTENANCE AND RENEWAL PROGRAMS FOR FISCAL YEAR 2014 AND ANNUALLY THEREAFTER, THE DEPARTMENT SHALL ESTABLISH A STATEWIDE SUBOBJECT FOR THE PURPOSE OF CHARGING BACK TO EACH FUND ACCOUNT OF THE STATE AGENCIES:

(1) THE COST OF ONGOING CRITICAL MAINTENANCE AND FACILITY RENEWAL;

(2) THE PERSONNEL COST FOR A DEPARTMENT OF GENERAL SERVICES FACILITY RENEWAL ASSESSMENT TEAM; AND

(3) THE COST OF PURCHASING AND MAINTAINING A COMPUTERIZED LIFE-CYCLE FACILITY MAINTENANCE MANAGEMENT SYSTEM OR OTHER COMPUTER SYSTEM UPGRADES DETERMINED TO BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(D) COSTS SHALL BE ALLOCATED TO EACH AGENCY FOR WHICH THE DEPARTMENT OF GENERAL SERVICES PROVIDES FACILITY MAINTENANCE AND FACILITY RENEWAL SERVICES THROUGH AN ANNUAL SQUARE FOOT ASSESSMENT CHARGE FOR CRITICAL MAINTENANCE AND RENEWAL BASED ON

THE CURRENT ANNUAL SQUARE FOOTAGE RENT CALCULATION FOR EACH STATE-OWNED FACILITY.

(E) THE DEPARTMENT SHALL:

(1) ACCOUNT SEPARATELY FOR FUNDS USED FOR THE PURCHASE OF A COMPUTERIZED LIFE-CYCLE ACCOUNTING SYSTEM OR OTHER COMPUTER SYSTEM UPGRADES DETERMINED TO BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND

(2) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE FUNDS USED FOR THE PURCHASE OF A COMPUTERIZED LIFE-CYCLE ACCOUNTING SYSTEM OR OTHER COMPUTER SYSTEM UPGRADES DETERMINED TO BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(F) FOR FISCAL YEAR 2014 AND ANNUALLY THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET THROUGH THE MECHANISM ESTABLISHED IN THIS SECTION A CHARGE BACK OF NOT LESS THAN \$20,000,000 FROM ALL FUND SOURCES TO BE ADJUSTED ANNUALLY FOR INFLATION AS MEASURED BY THE CONSUMER PRICE INDEX.

(G) (1) THERE IS A FACILITY MAINTENANCE AND REPAIR FUND.

(2) THE PURPOSE OF THE FUND IS TO PROVIDE SUPPORT FOR THE PURPOSES DESCRIBED IN SUBSECTION (C) OF THIS SECTION.

(3) THE SECRETARY OF GENERAL SERVICES SHALL ADMINISTER THE FUND.

(4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THIS ARTICLE.

(II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(5) THE FUND CONSISTS OF:

(I) MONEY APPROPRIATED TO THE FUND:

1. IN THE ANNUAL STATE BUDGET; OR

2. IN THE ANNUAL MARYLAND CONSOLIDATED CAPITAL BOND LOAN ACT;

(II) UNSPENT PROCEEDS OF AN ENABLING ACT ALLOCATED TO THE FUND BY THE GOVERNOR UNDER § 8-129 OF THIS ARTICLE; AND

(III) THE AMOUNT OF AN APPROPRIATION IN AN ANNUAL MARYLAND CONSOLIDATED CAPITAL BOND LOAN ACT THAT IS IN EXCESS OF THE AMOUNT NEEDED FOR A PROJECT INCLUDED IN THE ACT AND THAT IS ALLOCATED TO THE FUND.

(6) THE FUND MAY BE USED ONLY FOR FACILITY MAINTENANCE AND FACILITY RENEWAL PROJECTS ADMINISTERED BY THE DEPARTMENT OF GENERAL SERVICES AT STATE-OWNED FACILITIES.

(7) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(II) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.

(8) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET OR THE ANNUAL MARYLAND CONSOLIDATED CAPITAL BOND LOAN ACT.

(H) ON OR BEFORE JULY 1, 2013, AND EACH JULY 1 THEREAFTER, THE SECRETARY AND THE SECRETARY OF GENERAL SERVICES SHALL SUBMIT A

REPORT, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE
GENERAL ASSEMBLY ON:

(1) MONEY APPROPRIATED TO THE FUND;

(2) MONEY AUTHORIZED FOR EXPENDITURE FROM THE FUND;

AND

(3) THE BACKLOG OF FACILITY RENEWAL MAINTENANCE AND
FACILITY RENEWAL PROJECTS, INCLUDING THE CHANGE IN THE BACKLOG
COMPARED TO THE PRIOR FISCAL YEAR.”.

On page 32, before line 22, insert:

“8-129.

(a) With the approval of the Board, the Governor shall dispose of unspent
proceeds of an enabling act within 1 year after the termination of the State debt
authorization under § 8-128 of this subtitle.

(b) The Governor shall:

(1) use the proceeds to reduce State debt authorizations, as provided
in § 8-126(b) through (d) of this subtitle;

(2) allocate the proceeds to the Construction Contingency Fund, as
provided in § 3-609 of this article; [or]

(3) order the proceeds to be credited to the Annuity Bond Fund, to pay
the outstanding bonded indebtedness of the State; OR

(4) ALLOCATE THE PROCEEDS TO THE FACILITY MAINTENANCE
AND RENEWAL FUND, AS PROVIDED IN § 3-612 OF THIS SUBTITLE.

(c) The Board shall enforce the provisions of this section.”.

AMENDMENT NO. 8

On page 32, after line 10, insert:

“6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

62. Veterans Trust Fund; [and]

63. Transportation Trust Fund; AND

64. MORTGAGE LOAN SERVICING PRACTICES SETTLEMENT FUND.”;

in line 12, after “STATE” insert “OR OTHERWISE SUBJECT TO THE DIRECTION OR CONTROL OF A STATE OFFICIAL,”; strike beginning with the second “THE” in line 12 down through “CLAIMS” in line 13 and substitute “A SETTLEMENT, JUDGMENT, OR CONSENT DECREE MADE OR ENTERED INTO AFTER JANUARY 1, 2012”; after line 13, insert:

“(1) SHALL BE DEPOSITED IN THE STATE TREASURY; AND

(2) EXCEPT FOR FUNDS DESIGNATED AS RESTITUTION:”;

in line 14, strike “(1)” and substitute “(I)”; strike beginning with “THROUGH” in line 14 down through “AUTHORIZED” in line 15; in line 17, strike “(2)” and substitute “(II)”; in the same line, strike “IS NOT SUBJECT TO TRANSFER” and substitute “MAY BE TRANSFERRED”; strike in their entirety lines 18 through 21, inclusive, and substitute:

“(B) IN NEGOTIATING ANY STATE PAYMENT UNDER ANY NATIONAL OR MULTISTATE SETTLEMENT, JUDGMENT, OR CONSENT DECREE, A STATE

OFFICIAL MAY RECOMMEND RESTRICTIONS ON THE USE OF THAT STATE PAYMENT BUT SHALL ALSO REQUEST THAT THE SETTLEMENT, JUDGMENT, OR CONSENT DECREE ALSO PROVIDE THAT THE FUNDS MAY BE USED FOR ANY PUBLIC PURPOSE, TO THE EXTENT THAT DOING SO IS NOT INCONSISTENT WITH THE STATE OR ITS CITIZENS SECURING THE MAXIMUM BENEFIT FROM THE SETTLEMENT, JUDGMENT, OR CONSENT DECREE.

7-328.

(A) THERE IS A MORTGAGE LOAN SERVICING PRACTICES SETTLEMENT FUND.

(B) (1) THE FUND IS A CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THIS SUBTITLE.

(2) EXCEPT FOR RESTITUTION AND FUNDS DESIGNATED AS FINES, CIVIL PENALTIES, AND MONIES THAT ARE OTHERWISE REQUIRED UNDER MARYLAND LAW, A JUDGMENT, OR A SETTLEMENT AGREEMENT TO BE PAID INTO THE GENERAL FUND OF THE STATE, THERE SHALL BE CREDITED TO THE FUND ALL REVENUES CONSISTING OF FUNDS RECEIVED BY THE STATE FROM ANY SOURCE RESULTING, DIRECTLY OR INDIRECTLY, FROM ANY JUDGMENT AGAINST OR SETTLEMENT WITH BANK MORTGAGE SERVICERS OR ANY OTHER PERSON IN THE MORTGAGE SERVICING INDUSTRY RELATING TO LITIGATION, ADMINISTRATIVE PROCEEDINGS, OR ANY OTHER CLAIMS MADE OR PROSECUTED BY THE STATE TO RECOVER DAMAGES FOR VIOLATIONS OF STATE LAW.

(C) THE TREASURER SHALL:

(1) INVEST AND REINVEST THE FUND IN THE SAME MANNER AS OTHER STATE FUNDS; AND

(2) CREDIT ANY INVESTMENT EARNINGS TO THE FUND.

(D) EXPENDITURES FROM THE FUND SHALL BE MADE BY AN APPROPRIATION IN THE ANNUAL STATE BUDGET OR MAY BE TRANSFERRED BY BUDGET AMENDMENT.

(E) (1) THE FUND SHALL BE EXPENDED SUBJECT TO ANY RESTRICTIONS ON ITS USE OR OTHER LIMITATIONS ON ITS ALLOCATION THAT ARE:

(I) EXPRESSLY PROVIDED BY STATUTE; OR

(II) REQUIRED AS A CONDITION OF THE ACCEPTANCE OF FUNDS.

(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT DISBURSEMENTS FROM THE FUND TO PROGRAMS FUNDED BY THE STATE OR WITH FEDERAL FUNDS ADMINISTERED BY THE STATE SHALL BE USED AS PROVIDED IN THIS SECTION SOLELY TO SUPPLEMENT, AND NOT TO SUPPLANT, FUNDS OTHERWISE AVAILABLE FOR THE PROGRAMS UNDER FEDERAL OR STATE LAW.

(F) (1) THE MORTGAGE LOAN SERVICING PRACTICES SETTLEMENT FUND SHALL BE USED FOR HOUSING AND FORECLOSURE-RELIEF PURPOSES AND FOR RELATED INVESTIGATION AND ENFORCEMENT ACTIVITIES, INCLUDING:

(I) THE PROVISION OF HOUSING COUNSELING;

(II) LEGAL ASSISTANCE RELATED TO FORECLOSURE AND HOUSING ACTIVITIES;

(III) CRIMINAL OR CIVIL INVESTIGATIONS OF FRAUD RELATED TO HOUSING AND THE SECURITIZATION OF MORTGAGE LOANS;

(IV) RELEVANT ENFORCEMENT ACTIVITIES;

(V) FORECLOSURE PREVENTION, REMEDIATION, AND RESTITUTION;

(VI) PROGRAMS TO ADDRESS COMMUNITY BLIGHT;

(VII) PROGRAMS REASONABLY TARGETED TO BENEFIT PERSONS HARMED BY MORTGAGE FRAUD; AND

(VIII) ANY OTHER PUBLIC PURPOSE REASONABLY RELATED TO HOUSING AND FORECLOSURE RELIEF.

(2) THE PROVISIONS OF THIS SUBSECTION MAY NOT BE CONSTRUED TO AFFECT THE GOVERNOR'S POWERS WITH RESPECT TO A REQUEST FOR AN APPROPRIATION IN THE ANNUAL BUDGET BILL.

(G) FOR EACH PROGRAM, PROJECT, OR ACTIVITY UNDER SUBSECTION (F)(1) OF THIS SECTION FOR WHICH FUNDS ARE APPROPRIATED, THE GOVERNOR SHALL:

(1) DEVELOP APPROPRIATE STATEMENTS OF VISION, MISSION, KEY GOALS, OBJECTIVES, AND PERFORMANCE INDICATORS AND REPORT THESE STATEMENTS IN A DISCRETE PART OF THE STATE BUDGET SUBMISSION, WHICH SHALL ALSO PROVIDE DATA FOR KEY PERFORMANCE INDICATORS; AND

(2) REPORT ANNUALLY, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY NO LATER THAN OCTOBER 1 ON:

(I) TOTAL FUNDS EXPENDED, BY PROGRAM AND SUBDIVISION, IN THE PRIOR FISCAL YEAR FROM THE FUND ESTABLISHED UNDER THIS SECTION; AND

(II) THE SPECIFIC OUTCOMES OR PUBLIC BENEFITS RESULTING FROM THAT EXPENDITURE.”.

AMENDMENT NO. 9

On page 34, strike beginning with the period in line 6 down through “INCLUDES” in line 8 and substitute “, ADJUSTED BY”.

On pages 36 and 37, strike in their entirety the lines beginning with line 22 on page 36 through line 12 on page 37, inclusive, and substitute:

| <u>“LOCAL</u> | <u>FISCAL</u> | <u>FISCAL</u> | <u>FISCAL</u> | <u>FISCAL</u> |
|------------------------|-------------------|-------------------|-------------------|-------------------|
| <u>EMPLOYER</u> | <u>YEAR</u> | <u>YEAR</u> | <u>YEAR</u> | <u>YEAR</u> |
| | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> |
| <u>ALLEGANY</u> | <u>1,487,742</u> | <u>1,885,754</u> | <u>2,412,465</u> | <u>2,773,677</u> |
| <u>ANNE ARUNDEL</u> | <u>11,493,684</u> | <u>14,568,567</u> | <u>18,637,716</u> | <u>21,428,297</u> |
| <u>BALTIMORE CITY</u> | <u>12,922,862</u> | <u>16,380,092</u> | <u>20,955,217</u> | <u>24,092,793</u> |
| <u>BALTIMORE</u> | <u>15,755,802</u> | <u>19,970,922</u> | <u>25,549,002</u> | <u>29,374,395</u> |
| <u>CALVERT</u> | <u>2,835,938</u> | <u>3,594,631</u> | <u>4,598,648</u> | <u>5,287,193</u> |
| <u>CAROLINE</u> | <u>793,934</u> | <u>1,006,334</u> | <u>1,287,413</u> | <u>1,480,175</u> |
| <u>CARROLL</u> | <u>4,005,782</u> | <u>5,077,441</u> | <u>6,495,621</u> | <u>7,468,196</u> |
| <u>CECIL</u> | <u>2,459,819</u> | <u>3,117,889</u> | <u>3,988,747</u> | <u>4,585,973</u> |
| <u>CHARLES</u> | <u>3,936,516</u> | <u>4,989,645</u> | <u>6,383,304</u> | <u>7,339,061</u> |
| <u>DORCHESTER</u> | <u>656,543</u> | <u>832,186</u> | <u>1,064,625</u> | <u>1,224,028</u> |
| <u>FREDERICK</u> | <u>5,893,461</u> | <u>7,470,128</u> | <u>9,556,610</u> | <u>10,987,499</u> |
| <u>GARRETT</u> | <u>664,714</u> | <u>842,544</u> | <u>1,077,874</u> | <u>1,239,262</u> |
| <u>HARFORD</u> | <u>5,529,741</u> | <u>7,009,102</u> | <u>8,966,815</u> | <u>10,309,396</u> |
| <u>HOWARD</u> | <u>9,821,066</u> | <u>12,448,477</u> | <u>15,925,463</u> | <u>18,309,945</u> |
| <u>KENT</u> | <u>366,147</u> | <u>464,102</u> | <u>593,730</u> | <u>682,628</u> |
| <u>MONTGOMERY</u> | <u>27,227,553</u> | <u>34,511,689</u> | <u>44,151,153</u> | <u>50,761,802</u> |
| <u>PRINCE GEORGE’S</u> | <u>19,554,579</u> | <u>24,785,979</u> | <u>31,708,954</u> | <u>36,456,662</u> |
| <u>QUEEN ANNE’S</u> | <u>1,105,527</u> | <u>1,401,286</u> | <u>1,792,679</u> | <u>2,061,093</u> |
| <u>ST. MARY’S</u> | <u>2,485,697</u> | <u>3,150,691</u> | <u>4,030,711</u> | <u>4,634,220</u> |
| <u>SOMERSET</u> | <u>480,124</u> | <u>608,570</u> | <u>778,550</u> | <u>895,121</u> |
| <u>TALBOT</u> | <u>628,456</u> | <u>796,586</u> | <u>1,019,080</u> | <u>1,171,665</u> |
| <u>WASHINGTON</u> | <u>3,094,113</u> | <u>3,921,875</u> | <u>5,017,294</u> | <u>5,768,522</u> |
| <u>WICOMICO</u> | <u>2,173,593</u> | <u>2,755,091</u> | <u>3,524,616</u> | <u>4,052,348</u> |
| <u>WORCESTER</u> | <u>1,271,561</u> | <u>1,611,739</u> | <u>2,061,914</u> | <u>2,370,640”</u> |

AMENDMENT NO. 10

On page 43, in line 17, strike “NICKEL” and substitute “DIME”; in line 18, strike “BIENNIAL” and substitute “TRIENNIAL”; in line 21, strike “2010” and substitute “2009”; and in the same line, strike “2-YEAR” and substitute “3-YEAR”.

AMENDMENT NO. 11

On page 43, after line 30, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Prior to making any adjustments to capitation payments for a managed care organization, the Secretary of Health and Mental Hygiene, in consultation with the Maryland Insurance Commissioner, shall adopt regulations to implement the provisions of § 15–605(c)(5) of the Insurance Article.

(b) The regulations adopted under subsection (a) of this section shall:

(1) establish the definition of “loss ratio” for uniform application by all managed care organizations;

(2) establish procedures requiring the Secretary of Health and Mental Hygiene to consider the financial performance of a managed care organization in prior periods;

(3) establish standard data collection and reporting requirements for all managed care organizations;

(4) consistent with the provisions of § 15–605(c)(5) of the Insurance Article, establish a process for allowing a managed care organization to appeal a decision of the Secretary of Health and Mental Hygiene to adjust a managed care organization’s capitation payments; and

(5) establish a mechanism for, and conditions under which, an adjustment to the capitation rates of a managed care organization are made.

(c) The Secretary of Health and Mental Hygiene shall adopt any additional regulations necessary to carry out the provisions of § 15–605(c)(5) of the Insurance Article and the goals of the Health Choice Program.

(D) ANY REGULATIONS ADOPTED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE THAT ADJUST CAPITATED PAYMENTS TO MANAGED CARE ORGANIZATIONS IF THE MEDICAL LOSS RATIO OF A MANAGED CARE ORGANIZATION IS LESS THAN 85% MAY NOT APPLY TO A CALENDAR YEAR PRECEDING THE CALENDAR YEAR IN WHICH THE REGULATIONS ARE ADOPTED.”.

AMENDMENT NO. 12

On page 60, after line 32, insert:

“\$5,000,000 of the funds in the accounts of the University System of Maryland;
\$250,000 of the funds in the accounts of Morgan State University;”.

AMENDMENT NO. 13

On page 61, before line 1, insert:

“\$351,000 of the funds in the special fund established under § 11–401 of the
Business Regulation Article;”.

AMENDMENT NO. 14

On page 61, in line 37, strike “\$209,000” and substitute “\$1,867,000”.

AMENDMENT NO. 15

On page 62, strike beginning with “Notwithstanding” in line 4 down through “(i)” in line 8; and in line 13, strike “(ii)” and substitute “(2)”.

AMENDMENT NO. 16

On page 65, strike in their entirety lines 29 through 34, inclusive.

AMENDMENT NO. 17

On page 66, after line 31, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That it is the intent of the
General Assembly that funding be provided in the annual budget to upgrade the
Maryland Institute for Emergency Medical Services System communications
systems.”.

AMENDMENT NO. 18

On page 8, after line 6, insert:

“(3) BALTIMORE COUNTY – \$3,000,000;”;

in lines 7, 8, 9, 10, 11, and 12, strike “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively; and in line 10, strike “\$7,628,702” and substitute “\$9,628,702”.

AMENDMENT NO. 19

On page 13, in line 29, after “SUBTITLE” insert “IN THE FOLLOWING FISCAL YEAR”.

AMENDMENT NO. 20

On page 59, after line 32, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5–105.

(a) All revenues received by a county board shall be spent by the board in accordance with the major categories of its annual budget as provided under § 5–101 of this subtitle.

(c) [Nonlocal]EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, NONLOCAL funds received by a county board after the adoption of the annual budget by the county fiscal authority may be spent by the county board if the county fiscal authority is notified and approves of:

- (1) The source and amount of the funds; and
- (2) The manner of spending the funds.

(D) (1) FUNDS RECEIVED BY THE COUNTY BOARD UNDER § 2–608(A)(1) OF THE TAX – GENERAL ARTICLE AFTER THE ADOPTION OF THE ANNUAL BUDGET BY THE COUNTY FISCAL AUTHORITY MAY BE SPENT BY THE COUNTY BOARD AFTER APPROVAL BY THE COUNTY FISCAL AUTHORITY UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) THE COUNTY FISCAL AUTHORITY SHALL APPROVE THE AMOUNT OF FUNDS RECEIVED BY THE COUNTY BOARD UNDER § 2–608(A)(1) OF THE TAX – GENERAL ARTICLE WITHIN 30 DAYS AFTER THE COMPTROLLER MAKES THE DISTRIBUTION TO THE COUNTY BOARD.

(3) IF THE COUNTY FISCAL AUTHORITY FAILS TO TAKE ACTION WITHIN 30 DAYS AFTER THE DISTRIBUTION BY THE COMPTROLLER, THE FAILURE TO TAKE ACTION CONSTITUTES APPROVAL.”.

AMENDMENT NO. 21

On page 66, strike in their entirety lines 3 through 26, inclusive, and substitute:

| | | | | |
|----------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| <u>“ALLEGANY</u> | <u>\$1,487,742</u> | <u>\$1,885,754</u> | <u>\$1,847,253</u> | <u>\$2,202,813</u> |
| <u>ANNE</u> | | | | |
| <u>ARUNDEL</u> | <u>11,493,684</u> | <u>14,568,567</u> | <u>15,930,477</u> | <u>18,693,986</u> |
| <u>BALTIMORE</u> | | | | |
| <u>CITY</u> | <u>12,922,862</u> | <u>16,380,092</u> | <u>14,824,485</u> | <u>17,900,753</u> |
| <u>BALTIMORE</u> | <u>15,755,802</u> | <u>19,970,922</u> | <u>21,062,639</u> | <u>24,843,168</u> |
| <u>CALVERT</u> | <u>2,835,938</u> | <u>3,594,631</u> | <u>4,071,110</u> | <u>4,754,380</u> |
| <u>CAROLINE</u> | <u>793,934</u> | <u>1,006,334</u> | <u>991,831</u> | <u>1,181,637</u> |
| <u>CARROLL</u> | <u>4,005,782</u> | <u>5,077,441</u> | <u>5,736,837</u> | <u>6,701,824</u> |
| <u>CECIL</u> | <u>2,459,819</u> | <u>3,117,889</u> | <u>3,352,878</u> | <u>3,943,745</u> |
| <u>CHARLES</u> | <u>3,936,516</u> | <u>4,989,645</u> | <u>5,642,346</u> | <u>6,590,694</u> |
| <u>DORCHESTER</u> | <u>656,543</u> | <u>832,186</u> | <u>775,810</u> | <u>932,325</u> |
| <u>FREDERICK</u> | <u>5,893,461</u> | <u>7,470,128</u> | <u>8,438,605</u> | <u>9,858,314</u> |
| <u>GARRETT</u> | <u>664,714</u> | <u>842,544</u> | <u>796,082</u> | <u>954,652</u> |
| <u>HARFORD</u> | <u>5,529,741</u> | <u>7,009,102</u> | <u>7,475,675</u> | <u>8,803,344</u> |
| <u>HOWARD</u> | <u>9,821,066</u> | <u>12,448,477</u> | <u>14,909,225</u> | <u>17,283,545</u> |
| <u>KENT</u> | <u>366,147</u> | <u>464,102</u> | <u>445,130</u> | <u>532,542</u> |
| <u>MONTGOMERY</u> | <u>27,227,553</u> | <u>34,511,689</u> | <u>37,809,551</u> | <u>44,356,785</u> |
| <u>PRINCE</u> | | | | |
| <u>GEORGE’S</u> | <u>19,554,579</u> | <u>24,785,979</u> | <u>24,951,664</u> | <u>29,631,799</u> |
| <u>QUEEN ANNE’S</u> | <u>1,105,527</u> | <u>1,401,286</u> | <u>1,497,849</u> | <u>1,763,314</u> |
| <u>ST. MARY’S</u> | <u>2,485,697</u> | <u>3,150,691</u> | <u>3,417,429</u> | <u>4,014,805</u> |
| <u>SOMERSET</u> | <u>480,124</u> | <u>608,570</u> | <u>495,932</u> | <u>609,676</u> |
| <u>TALBOT</u> | <u>628,456</u> | <u>796,586</u> | <u>792,752</u> | <u>943,073</u> |
| <u>WASHINGTON</u> | <u>3,094,113</u> | <u>3,921,875</u> | <u>4,099,702</u> | <u>4,841,754</u> |
| <u>WICOMICO</u> | <u>2,173,593</u> | <u>2,755,091</u> | <u>2,719,329</u> | <u>3,239,009</u> |
| <u>WORCESTER</u> | <u>1,271,561</u> | <u>1,611,739</u> | <u>1,647,903</u> | <u>1,952,488”.</u> |

AMENDMENT NO. 22

On page 66, before line 32, insert:

“SECTION 25. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for a county that does not meet the maintenance of effort requirement under § 5–202(d) of the Education Article in fiscal year 2012 and did not approve a county income tax rate of 3.2% before July 1, 2011:

(1) For fiscal year 2013, if a county approves a county income tax rate of 3.2% and a county property tax rate that is at least the maximum amount allowable under the county’s charter before July 1, 2012, the required fiscal year 2013 maintenance of effort amount for the county shall be calculated based on the local funds appropriated to the school operating budget for fiscal year 2012.

(2) For fiscal year 2014:

(i) if a county approves a county income tax rate of 3.2% and a county property tax rate that is at least the maximum amount allowable under the county’s charter before July 1, 2013, the required fiscal year 2014 maintenance of effort amount for the county shall be calculated based on the local funds appropriated to the school operating budget for fiscal year 2013; and

(ii) if the county does not approve a county income tax rate of 3.2% and a county property tax rate that is at least the maximum amount allowable under the county’s charter before July 1, 2013, the required fiscal year 2014 maintenance of effort amount for the county shall be based on the required maintenance of effort amount for fiscal year 2012.”.

AMENDMENT NO. 23

On page 67, before line 6, insert:

“SECTION 30. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall take effect July 1, 2014.”.

AMENDMENT NO. 24

On page 66, after line 31, insert:

“SECTION 23. AND BE IT FURTHER ENACTED, That, notwithstanding § 5–202(d) of the Education Article, for fiscal year 2013 only, the maintenance of effort calculation for Baltimore City shall exclude:

(1) a reduction in the cost of health benefits for retired employees of the Baltimore City Public School System if a similar reduction is made for all participants in the health benefits program for retired employees that is administered by Baltimore City and includes retired employees of both Baltimore City and the Baltimore City Public School System; and

(2) a reduction in the cost of health benefits for retired employees of the Baltimore City Public School System due to a change in the allocation of the costs of the health benefits program between retired employees of Baltimore City and the Baltimore City Public School System from the estimated number of retired employees for Baltimore City and for the Baltimore City School System to an estimate of the actual medical and prescription drug claims for the retired employees of Baltimore City and for the retired employees of the Baltimore City School System.”.

AMENDMENT NO. 25

On page 66, after line 31, insert:

“SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law to the contrary, § 10–306 of the State Finance and Procurement Article does not apply to the process for awarding a video lottery operation license under §§ 9–1A–05(a)(4) and 9–1A–36(h)(1)(iii) of the State Government Article.”.

AMENDMENT NO. 26

On page 62, in line 26, after “\$950,000” insert “, and on or before June 30, 2013, the Governor may transfer up to \$209,000.”.

AMENDMENT NO. 27

On page 45, after line 3, insert:

“SECTION 24. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) Except as otherwise provided in this section, State employees employed by any entity, including the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland, may not receive merit increases prior to April 1, 2014.

(b) This provision does not affect:

(1) salaries for constitutional officers or members of the General Assembly;

(2) increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary's College of Maryland;

(3) payments pursuant to a collective bargaining agreement negotiated with an accredited representative in accordance with § 7-601 of the Transportation Article; or

(4) for fiscal [year] YEARS 2012 [only] AND 2013, operationally critical staff.

(c) On or before December 1, 2011, AND DECEMBER 1, 2012, in accordance with § 2-1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary's College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(d) On or before December 1, 2011, AND DECEMBER 1, 2012, in accordance with § 2-1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all executive branch staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.”.

AMENDMENT NO. 28

On page 29, after line 22, insert:

“24-1105.

(a) The Trust Fund may only be used in accordance with this section.

(b) In accordance with an appropriation approved by the General Assembly in the State budget, the Comptroller shall transfer [the investment earnings of]:

(1) [The] THE INVESTMENT EARNINGS OF THE Developmental Disabilities Administration account of the Trust Fund into the Waiting List Equity Fund established under § 7–205 of this article; and

(2) [The] THE PROCEEDS AND INVESTMENT EARNINGS OF THE Mental Hygiene Administration account of the Trust Fund into the Mental Hygiene Community–Based Services Fund established under § 10–208 of this article.”.

AMENDMENT NO. 29

On page 28, after line 10, insert:

“15–102.8.

(A) THE DEPARTMENT MAY IMPOSE A CLAIMS PROCESSING CHARGE ON ALL MEDICAID CLAIMS PROCESSED, APPROVED, AND PAID BY THE DEPARTMENT TO HOSPITALS LOCATED IN THE DISTRICT OF COLUMBIA FOR THE PROVISION OF INPATIENT AND OUTPATIENT HOSPITAL SERVICES.

(B) THE AMOUNT TO BE PAID UNDER SUBSECTION (A) OF THIS SECTION MAY NOT EXCEED 6% OF THE AMOUNT OF CLAIMS PAID.

(C) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.”.

AMENDMENT NO. 30

On page 65, in line 24, after “That” insert “:

(a) Except as provided in subsection (b) of this section,”;

and after line 28, insert:

“(b) For fiscal year 2013 only, money received by the State as a result of conditions of an approved merger between Exelon Corporation and Constellation Energy Group may be transferred by budget amendment if:

(1) the budget amendment is subject to review by the Legislative Policy Committee, the House Appropriations Committee, and the Senate Budget and Taxation Committee; and

(2) the Legislative Policy Committee, the House Appropriations Committee, and the Senate Budget and Taxation Committee have 45 days to review and comment on the proposed budget amendment.”.

AMENDMENT NO. 31

On page 43, after line 29, insert:

“13-954.

(a) In this section, “motor vehicle” means a:

- (1) Class A (passenger) vehicle;
- (2) Class B (for hire) vehicle;
- (3) Class C (funeral and ambulance) vehicle;
- (4) Class D (motorcycle) vehicle;
- (5) Class E (truck) vehicle;
- (6) Class F (tractor) vehicle;
- (7) Class H (school) vehicle;
- (8) Class J (vanpool) vehicle;
- (9) Class M (multipurpose) vehicle;
- (10) Class P (passenger bus) vehicle;
- (11) Class Q (limousine) vehicle;
- (12) Class R (low speed) vehicle; or

(13) Vehicle within any other class designated by the Administrator.

(b) (1) In addition to the registration fee otherwise required by this title, the owner of any motor vehicle registered under this title shall pay a surcharge of [\$13.50] **\$15.50** per year for each motor vehicle registered.

(2) \$2.50 of the surcharge collected under paragraph (1) of this subsection shall be paid into the Maryland Trauma Physician Services Fund established under § 19–130 of the Health – General Article.”.

AMENDMENT NO. 32

On page 7, after line 37, insert:

“[9–1104.

The Governor shall include in the budget bill for each fiscal year a General Fund appropriation to Baltimore City of \$3,075,000.]”.

On page 8, in line 6, strike “**\$6,972,596**” and substitute “**\$10,047,956**”.

On page 66, after line 31, insert:

“SECTION 25. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2013, the Governor may transfer by budget amendment \$5,000,000 from the Revenue Stabilization Account established under § 7–311 of the State Finance and Procurement Article to fund teacher retirement supplemental grants under Article 24, § 9–1105 of the Code, as enacted under this Act.”.

AMENDMENT NO. 33

On page 66, before line 32, insert:

“SECTION 27. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, to the extent that the fiscal year 2013 revenue collections combined with reversions do not exceed budget estimates by \$60,000,000, the Governor shall exercise the Governor’s authority to reduce appropriations under § 7–213 of the State Finance and Procurement Article to reduce General Fund appropriations for fiscal year 2013 by the amount needed to provide \$60,000,000 in additional fund balance for fiscal year 2013. To the extent the revenues attained or reductions made under this section are

not ongoing reductions to State spending, the Governor shall propose additional ongoing reductions in the State budget prepared for fiscal year 2014.”.

AMENDMENT NO. 34

On page 41, strike beginning with “**FISCAL**” in line 16 down through “**BEFORE**” in line 17 and substitute “**OF THE FISCAL YEARS BEGINNING JULY 1, 2013, AND**”.

On page 60, in lines 1, 4, 6, and 13, strike “3.”, “4.”, “5.”, and “6.”, respectively, and substitute “4.”, “5.”, “6.”, and “7.”, respectively.

On page 61, in lines 9, 16, and 35, strike “7.”, “8.”, and “9.”, respectively, and substitute “8.”, “9.”, and “10.”, respectively.

On page 62, in lines 3 and 24, strike “10.” and “11.”, respectively, and substitute “11.” and “12.”, respectively.

On page 63, in lines 9, 13, and 17, strike “12.”, “13.”, and “14.”, respectively, and substitute “13.”, “14.”, and “15.”, respectively.

On page 64, in line 18, strike “15.” and substitute “16.”.

On page 65, in lines 12, 18, 24, and 35, strike “16.”, “17.”, “18.”, “21.”, respectively, and substitute “17.”, “18.”, “19.”, and “20.”, respectively.

On page 66, in lines 27, 32, and 38, strike “22.”, “23.”, and “24.”, respectively, and substitute “21.”, “28.”, and “29.”, respectively; and in line 31, strike “21” and substitute “20”.

On page 67, in line 6, strike “25.” and substitute “31.”.

Senate Members:

House Members:

Chair, **Edward J. Kasemeyer**

Chair, **Norman H. Conway**

Nathaniel J. McFadden

Sheila E. Hixson

James E. DeGrange, Sr.

Adrienne A. Jones

Richard S. Madaleno, Jr.

Melony G. Griffith

George C. Edwards

Peter A. Hammen

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to: ☐ Chief Clerk
 ☒ Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 1402)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #43

AMENDED IN THE HOUSE

Senate Bill 365 – Senators Garagiola, Astle, Benson, Colburn, Currie, DeGrange, Dyson, Ferguson, Forehand, Frosh, Glassman, Jennings, Kasemeyer, King, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

Higher Education – Volunteer Firefighters The Charles W. Riley Fire and Emergency Medical Services Scholarship

Senator Conway moved that the Senate concur in the House amendment.

SB0365/935367/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 365

(Third Reading File Bill)

On page 3, in line 25, after “FIREFIGHTER” insert “OR AMBULANCE OR RESCUE SQUAD MEMBER”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1403)

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 457** SPONSOR: **Delegate Howard**

SUBJECT: **Transportation – Highway Construction
Training and Supportive Services**

THIRD READING CALENDAR HOUSE NO. 11 SENATE NO. 43

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Finance Committee Amendments (HB0457/287479/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0457/913427/1) be adopted.

HB0457/913427/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 457

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Highway” insert “or Capital Transit”; in line 3, strike “State Highway Administration” and substitute “Maryland Department of Transportation”; in lines 5 and 9, in each instance, after “highway” insert “or capital transit”; in line 6, after “programs,” insert “requiring the Department to administer certain highway construction and supportive services programs in collaboration with”

the Governor’s Workforce Investment Board for a certain purpose;”; in the same line, strike “Administration” and substitute “Department and the Board”; in line 8, strike “a”; and in the same line, strike “term” and substitute “terms”.

AMENDMENT NO. 2

On page 2, strike beginning with “IN” in line 9 down through “HIGHWAYS” in line 12 and substitute:

“(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “BOARD” MEANS THE GOVERNOR’S WORKFORCE INVESTMENT BOARD.

(3) “HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION” MEANS ACTUAL CONSTRUCTION, PRELIMINARY ENGINEERING, PLANNING AND RESEARCH, OR ANY OTHER WORK OR ACTIVITY TO IMPLEMENT FEDERAL LAWS FOR THE ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS OR CAPITAL TRANSIT PROJECTS.

(4) “WORKFORCE INVESTMENT AREA” HAS THE MEANING STATED IN § 11–503(N) OF THE LABOR AND EMPLOYMENT ARTICLE”;

in line 13, strike “ADMINISTRATION” and substitute “DEPARTMENT”; in line 15, after “HIGHWAY” insert “OR CAPITAL TRANSIT”; after line 17, insert:

“(C) THE DEPARTMENT SHALL ADMINISTER THE TRAINING PROGRAMS UNDER SUBSECTION (B) OF THIS SECTION IN COLLABORATION WITH THE BOARD TO ENSURE THAT HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION TRAINING AND SUPPORTIVE SERVICES ARE PROVIDED TO THE GREATEST EXTENT FEASIBLE TO INDIVIDUALS IN EACH RELEVANT WORKFORCE INVESTMENT AREA.”;

in line 18, strike “(C)” and substitute “(D)”; in the same line, strike “ADMINISTRATION” and substitute “DEPARTMENT AND BOARD”; in line 22, strike “ADMINISTRATION’S” and substitute “DEPARTMENT’S AND BOARD’S”; in line 23, strike “SUBSECTION (B)” and substitute “SUBSECTIONS (B) AND (C)”; in line 26,

after “HIGHWAY” insert “OR CAPITAL TRANSIT”; in line 28, strike “ADMINISTRATION HAS” and substitute “DEPARTMENT AND BOARD HAVE”; in the same line, after “ADMINISTERED” insert “IN EACH WORKFORCE INVESTMENT AREA, INCLUDING A DESCRIPTION OF:”

1. ANY ENTITIES, INSTITUTIONS, OR ORGANIZATIONS USED BY THE DEPARTMENT AND BOARD TO PROVIDE THE TRAINING AND SERVICES; AND

2. THE INDIVIDUALS AND ORGANIZATIONS THAT HAVE RECEIVED TRAINING AND SERVICES”;

in line 29, after “PROGRAMS” insert “IN EACH WORKFORCE INVESTMENT AREA”; and strike beginning with “BY” in line 32 down through “ADMINISTERING” in line 33 and substitute “IN EACH WORKFORCE INVESTMENT AREA TO CONDUCT AND ADMINISTER”.

Senate Members:

House Members:

Chair, **Catherine E. Pugh**

Chair, **Carolyn J. B. Howard**

Barry Glassman

Eric G. Luedtke

James N. Mathias, Jr.

Joseph C. Boteler, III

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1404)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT**BILL NO.: SB 506 SPONSOR: Senator Raskin****SUBJECT: Vehicle Laws – Provisional Driver’s Licenses –
Driver Education Requirements****THIRD READING CALENDAR HOUSE NO. 22 SENATE NO. 35**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Environmental Matters Committee Amendments (SB0506/620719/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0506/123021/1) be adopted.

SB0506/123021/1**BY: Conference Committee****AMENDMENTS TO SENATE BILL 506****(Third Reading File Bill)****AMENDMENT NO. 1**

On page 1, in line 6, strike “establishing that” and substitute “altering”; strike beginning with “and” in line 7 down through “book” in line 8; and in line 9, strike “do not” and substitute “that”.

AMENDMENT NO. 2

On page 3, in lines 7 and 19, in each instance, strike “**AND**”; in lines 8 and 20, in each instance, strike “**A**” and substitute “**;**”

1. A;

and in lines 11 and 23, in each instance, after “**INSTRUCTION**” insert “**;AND**”

2. AT LEAST 14 HOURS, 3 HOURS OF WHICH MUST OCCUR DURING THE PERIOD BEGINNING 30 MINUTES BEFORE SUNSET AND ENDING 30 MINUTES AFTER SUNRISE, OF BEHIND-THE-WHEEL DRIVING PRACTICE SUPERVISED BY AN INDIVIDUAL WHO:

A. HOLDS A VALID DRIVER'S LICENSE;

B. IS AT LEAST 21 YEARS OLD; AND

C. HAS BEEN LICENSED TO DRIVE FOR AT LEAST 3 YEARS; AND

(III) UNLESS THE INDIVIDUAL SUBMITS, IN ACCORDANCE WITH THE ADMINISTRATION'S REGULATIONS, A COMPLETED SKILLS LOG BOOK SIGNED BY EACH SUPERVISING DRIVER WHO CERTIFIES THAT THE INDIVIDUAL HAS SATISFACTORILY DEMONSTRATED A REQUIRED SKILL AND HAS COMPLETED THE DRIVING PRACTICE REQUIREMENTS UNDER THIS PARAGRAPH".

Senate Members:

House Members:

Chair, **Jamie Raskin**

Chair, **James E. Malone, Jr.**

James Brochin

Cheryl D. Glenn

Christopher B. Shank

H. Wayne Norman, Jr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1405)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 211 – Delegates Ivey, Vaughn, Griffith, Afzali, Alston, Anderson, Arora, Barkley, Barnes, Barve, Beidle, Beitzel, Bohanan, Branch, Braveboy, Burns, Cane, Carr, Carter, Clagett, Clippinger, Cullison, Davis, DeBoy, Feldman, Frick, Frush, Gaines, George, Gilchrist, Glenn, Gutierrez, Guzzone, Haddaway-Riccio, Harrison, Haynes, Healey, Hershey, Hixson, Holmes, Hucker, James, Jameson, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, Malone, McConkey, McIntosh, A. Miller, Minnick, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan-Pulliam, Niemann, Oaks, Olszewski, Pena-Melnyk, Pendergrass, Proctor, Reznik, S. Robinson, Rosenberg, Ross, Rudolph, Schuh, Schulz, Simmons, Smigiel, Stein, Stukes, Summers, Tarrant, V. Turner, Walker, Washington, Wilson, Wood, ~~and Zucker~~ Zucker, and Norman

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elected Officials – Removal from Office – Crimes

STATUS OF BILL: BILL IS ON THIRD READING AND OPEN TO AMENDMENT.

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1406)

The Bill was then sent to the House of Delegates.

House Bill 987 – Delegates Hucker, Bobo, Carr, Frush, Gilchrist, Glenn, Gutierrez, Holmes, Kramer, Lafferty, Luedtke, Niemann, S. Robinson, Waldstreicher, ~~and Zucker~~ Zucker, and Cardin

AN ACT concerning

Stormwater Management – Watershed Protection and Restoration Program

STATUS OF BILL: BILL IS ON THIRD READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

HB0987/633726/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 19, after “charges;” insert “exempting a certain property from paying the stormwater remediation fee;”.

AMENDMENT NO. 2

On page 4 of the bill, in line 10, after “IN” insert “PARAGRAPH (2) OF THIS SUBSECTION AND”; and in line 14, after “(2)” insert “PROPERTY OWNED BY A PROPERTY OWNER WHOSE TAX RETURN FOR THE PREVIOUS YEAR WAS BELOW THE POVERTY LEVEL MAY NOT BE CHARGED A STORMWATER REMEDIATION FEE UNDER THIS SECTION.”

(3)”.

AMENDMENT NO. 3

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 1 of Amendment No. 3, strike “(3)” and substitute “(4)”.

The preceding 3 amendments were read only.

Senator Garagiola moved, duly seconded, to limit the debate on **House Bill 987**.

MOTION TO LIMIT DEBATE

PURSUANT TO THE PROVISIONS OF SENATE RULE 77(B), DEBATE ON **HOUSE BILL 987** SHALL BE LIMITED TO 40 MINUTES IN THE AGGREGATE FOR CONSIDERATION OF THE THIRD READING AND FINAL PASSAGE, AND ON ALL SUBSEQUENT QUESTIONS AND MOTIONS SO RELATED TO THE THIRD READING AND OTHER ACTIONS. THE PRESIDENT SHALL ALLOCATE THE MINUTES AGGREGATE TIME AMONG THOSE SENATORS DESIRING TO SPEAK THEREON, PROVIDED THAT NOT MORE THAN 20 MINUTES SHALL BE

ALLOCATED FOR THE PROPONENTS AND NOT MORE THAN 20 MINUTES SHALL BE ALLOCATED FOR THE OPPONENTS OF SUCH BILL.

The motion was adopted by a roll call vote as follows:

Affirmative – 35 Negative – 12 (See Roll Call No. 1407)

FLOOR AMENDMENT

HB0987/633726/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 19, after “charges,” insert “exempting a certain property from paying the stormwater remediation fee;”.

AMENDMENT NO. 2

On page 4 of the bill, in line 10, after “IN” insert “**PARAGRAPH (2) OF THIS SUBSECTION AND**”; and in line 14, after “**(2)**” insert “**PROPERTY OWNED BY A PROPERTY OWNER WHOSE TAX RETURN FOR THE PREVIOUS YEAR WAS BELOW THE POVERTY LEVEL MAY NOT BE CHARGED A STORMWATER REMEDIATION FEE UNDER THIS SECTION.**”.

(3)”.

AMENDMENT NO. 3

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 1 of Amendment No. 3, strike “**(3)**” and substitute “**(4)**”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 12 Negative – 32 (See Roll Call No. 1408)

FLOOR AMENDMENT

HB0987/343920/1

BY: Senator Glassman

AMENDMENTS TO HOUSE BILL 987

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “charges;” insert “exempting certain property from a certain stormwater remediation fee;”.

AMENDMENT NO. 2

On page 4, in line 10, after “IN” insert “**PARAGRAPH (4) OF THIS SUBSECTION AND**”.

On page 5, after line 12, insert:

“(5) PROPERTY OWNED BY AN ELIGIBLE NONPROFIT ORGANIZATION IS EXEMPT FROM A STORMWATER REMEDIATION FEE IMPOSED UNDER THIS SECTION.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 29 (See Roll Call No. 1409)

FLOOR AMENDMENT

HB0987/693326/1

BY: Senator Jacobs

AMENDMENTS TO HOUSE BILL 987

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “permit” insert “, with certain exceptions,”.

AMENDMENT NO. 2

On page 3, in line 17, strike “**PARAGRAPH**” and substitute “**PARAGRAPHS**”; in the same line, after “**(2)**” insert “**AND (3)**”; and after line 26, insert:

“(3) THIS SECTION DOES NOT APPLY TO HARFORD COUNTY.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 13 Negative – 33 (See Roll Call No. 1410)

FLOOR AMENDMENT

HB0987/943129/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 18, after “term;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 8, in line 28, after “2012.” insert “It shall remain effective for a period of 18 years and, at the end of June 30, 2030, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 32 (See Roll Call No. 1411)

FLOOR AMENDMENT

HB0987/653721/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 987, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 19, after “charges;” insert “exempting a certain property from paying the stormwater remediation fee;”.

AMENDMENT NO. 2

On page 4 of the bill, in line 10, after “IN” insert “**PARAGRAPH (2) OF THIS SUBSECTION AND**”; and in line 14, after “(2)” insert “**PROPERTY OWNED BY A SENIOR LIVING FACILITY MAY NOT BE CHARGED A STORMWATER REMEDIATION FEE UNDER THIS SECTION.**”.

(3)".

AMENDMENT NO. 3

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB0987/764638/2), in line 1 of Amendment No. 3, strike "(3)" and substitute "(4)".

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 31 (See Roll Call No. 1412)

Read the third time and passed by yeas and nays as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 1413)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #44

AMENDED IN THE HOUSE

Senate Bill 362 – Senators Pugh, Benson, Conway, Currie, Forehand, Garagiola, Jones–Rodwell, Madaleno, McFadden, ~~and Stone~~ Stone, Ferguson, Pinsky, and Rosapepe

AN ACT concerning

Education – Age for Compulsory Public School Attendance – Exemptions

Senator Conway moved that the Senate concur in the House amendments.

SB0362/765762/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 362

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "instruction;" insert "requiring certain children to return to attendance at school under certain circumstances; requiring the State Department of Education to complete certain tasks on or before a certain date;

requiring the State Department of Education, in consultation with the Department of Labor, Licensing, and Regulation, to develop a certain program and request necessary legislation on or before a certain date; requiring the county boards of education to submit certain plans to the State Department of Education on or before a certain date; requiring the State Department of Education to submit certain reports to certain persons and entities on or before certain dates;”; in line 7, after “changes;” insert “providing for the application of this Act;”; and in line 16, strike “and (e)(2)” and substitute “(e)(2), and (g)”.

AMENDMENT NO. 2

On page 2, in lines 14 and 15, strike “, **INCLUDING HOME SCHOOLING UNDER COMAR 13A.10.01**”; after line 15, insert:

“(4) HAS COMPLETED AN INSTRUCTION PROGRAM UNDER PARAGRAPH (3) OF THIS SUBSECTION;”;

and in lines 16, 18, 19, 20, 22, 24, 26, and 28, strike “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, and “**(11)**”, respectively, and substitute “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, and “**(12)**”, respectively.

On page 3, in line 1, strike “**(12)**” and substitute “**(13)**”; and in line 6, strike “**(13)**” and substitute “**(14)**”.

On page 6, in lines 6 and 7, strike “, including home schooling under COMAR 13A.10.01”; after line 7, insert:

“(4) Has completed an instruction program under paragraph (3) of this subsection;”;

and in lines 8, 9, 10, 11, 13, 15, 17, 19, 20, and 24, strike “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, and “(13)”, respectively, and substitute “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, “**(12)**”, “**(13)**”, and “**(14)**”, respectively.

AMENDMENT NO. 3

On page 3, in lines 4 and 5, strike “**OR PARTICIPATES IN GED COURSES ON A PART-TIME BASIS**”.

On page 5, after line 25, insert:

“(G) SUBJECT TO DATA BEING AVAILABLE THROUGH THE MARYLAND LONGITUDINAL DATA SYSTEM ESTABLISHED UNDER § 24-702 OF THIS ARTICLE AND EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A CHILD UNDER THE AGE OF 17 YEARS SHALL RETURN TO ATTENDANCE AT A PUBLIC SCHOOL REGULARLY DURING THE SCHOOL YEAR AS REQUIRED BY THIS SECTION, IF THE CHILD:

(1) IS NO LONGER PARTICIPATING IN GED COURSES; AND

(2) HAS NOT OBTAINED A PASSING SCORE ON THE GED TEST THAT RESULTED IN THE ISSUANCE OF A MARYLAND HIGH SCHOOL DIPLOMA.”.

On page 6, in lines 22 and 23, strike “or participates in GED courses on a part-time basis”.

On page 7, after line 8, insert:

“(g) Subject to data being available through the Maryland Longitudinal Data System established under § 24-702 of this article and except as otherwise provided in this section, a child under the age of [17] 18 years shall return to attendance at a public school regularly during the school year as required by this section, if the child:

(1) Is no longer participating in GED courses; and

(2) Has not obtained a passing score on the GED test that resulted in the issuance of a Maryland high school diploma.”.

AMENDMENT NO. 4

On page 7, before line 9, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before December 1, 2012, the State Department of Education shall:

(1) update the Drop Out Prevention/School Completion/Intervention/Resource Guide, synthesize the information, and analyze the effectiveness of local programs and services;

(2) report on the methodology for estimating the expected number of students per local school system that will remain in school as a result of this Act;

(3) estimate how to calculate State aid based on this methodology; and

(4) review available data from other states that have increased their compulsory age of attendance during the last decade.

(b) On or before December 1, 2012, the State Department of Education, in consultation with the Department of Labor, Licensing, and Regulation, shall develop a GED Options Program and request the departmental legislation necessary to implement the Program.

(c) On or before July 1, 2013, each county board of education shall submit a report to the State Department of Education on its plans for implementation of the provisions of this Act.

(d) On or before September 1, 2013, the State Department of Education shall submit to the Governor, the Secretary of Budget and Management, and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House Ways and Means Committee, and the House Appropriations Committee a compilation of the reports submitted by the county boards of education under subsection (c) of this section and any recommendations for programs, interventions, and services that are necessary prior to implementation of this Act.

(e) On or before September 1, 2013, the State Department of Education shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(1) successful interventions at the early childhood and elementary school level;

(2) best practices for parental education and involvement; and

(3) alternative educational pathways.

(f) On or before March 1, 2016, the State Department of Education shall submit a preliminary report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the implementation of this Act.

(g) On or before August 1, 2016, the State Department of Education shall submit a final report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the implementation of Section 1 of this Act.

(h) On or before August 1, 2018, the State Department of Education shall submit a final report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the implementation of Section 2 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to:

(1) any child who is 16 years old or older before July 1, 2015; or

(2) any child who is 17 years old or older before July 1, 2017.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2015.”;

in line 9, strike “3.” and substitute “6.”; in line 10, strike “2016” and substitute “2017”; in line 11, strike “4.” and substitute “7.”; in line 12, strike “Section 3” and substitute “Sections 5 and 6”; and in the same line, strike “June 1, 2014” and substitute “July 1, 2012”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 1414)

AMENDED IN THE HOUSE

Senate Bill 920 – Senators Raskin, Ferguson, Getty, McFadden, Miller, Ramirez, Robey, ~~and Simonaire~~ Simonaire, and Kittleman

AN ACT concerning

Ethics Online Disclosure Act of 2012

Senator Conway moved that the Senate concur in the House amendments.

SB0920/230819/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 920

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Internet” insert “through an online registration program”; strike beginning with “altering” in line 6 down through “Act;” in line 18 and substitute “providing that a legislator is not required to report certain information under certain circumstances if reporting the information would violate standards of client confidentiality or professional conduct; requiring a legislator to report to the Joint Ethics Committee certain information related to employment and business interests, under certain circumstances; prohibiting the Department of Legislative Services from posting on the Internet certain information reported to the Joint Ethics Committee; requiring the President of the Senate and the Speaker of the House of Delegates to jointly establish a workgroup to perform a certain review of the disclosure requirements of the Maryland Public Ethics Law; providing for the appointment of the workgroup; establishing the duties of the workgroup and requiring the workgroup to submit any recommended legislation to certain committees of the General Assembly on or before a certain date; making certain stylistic changes; providing for the termination of certain provisions of this Act;”; and in line 22, strike “, 15–513(c), 15–602, 15–606, 15–805, and 15–813” and substitute “and 15–513(b) and (c)”.

On page 2, strike in their entirety lines 3 through 7, inclusive; and strike in their entirety lines 13 through 17, inclusive, and substitute:

“Preamble

WHEREAS, The Maryland General Assembly is a part–time legislature and many of its members have outside employment and investments; and

WHEREAS, As a result, real or perceived conflicts of interest will inevitably arise for members of the General Assembly; and

WHEREAS, For these reasons, the General Assembly is committed to maximum transparency in dealing with conflicts of interest by establishing for its members stringent requirements for annual financial disclosure and disclosure of conflicts of interest; and

WHEREAS, These important disclosure requirements must be balanced with the vital duty to safeguard personal information that could lead to identity theft or other criminal activity; now, therefore,”.

AMENDMENT NO. 2

On pages 2 and 3, strike the lines beginning with line 31 on page 2 through line 21 on page 3, inclusive, and substitute:

“(2) As to any other conflict, the disqualification arising under § 15–511 of this subtitle is suspended if a legislator with an apparent or presumed conflict files with the Joint Ethics Committee a sworn statement that describes the circumstances of the apparent or presumed conflict and the legislation or class of legislation to which it relates and asserts the legislator is able to vote and otherwise participate in action relating to the legislation, fairly, objectively, and in the public interest.

(b) (1) Whenever a legislator files a statement for the suspension of the disqualification, the Joint Ethics Committee on its own motion may issue a statement concerning the propriety of the legislator’s participation in the particular legislative action, with reference to the applicable ethical standards of this matter.

(2) The suspension of the disqualification by the filing of the statement is subject to further action by the Joint Ethics Committee if the question of conflict comes before it as to the same circumstances and the same legislator.”.

AMENDMENT NO. 3

On page 4, in lines 7 and 8, strike “**BY PROMPTLY POSTING THE INFORMATION**”; in line 8, after “**INTERNET**” insert “**THROUGH AN ONLINE REGISTRATION PROGRAM**”; in line 17, after “(b)” insert “**(1)**”; in line 20, strike “(1)” and substitute “**(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,**”; and in lines 26, 28, and 31, strike “(2)”, “(3)”, and “(i)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**1.**”, respectively.

On page 5, in lines 1, 3, 5, 7, and 10, strike “1.”, “2.”, “(ii)”, “(4)”, and “(5)”, respectively, and substitute “A.”, “B.”, “2.”, “(IV)”, “(V)”, respectively.

AMENDMENT NO. 4

On page 5, after line 11, insert:

“(VI) ANY PRIMARY EMPLOYMENT OR BUSINESS INTEREST AND THE EMPLOYER OF THE LEGISLATOR OR THE SPOUSE OF THE LEGISLATOR, EXCEPT FOR EMPLOYMENT AS A LEGISLATOR.

(2) A LEGISLATOR, ON THE WRITTEN ADVICE OF THE COUNSEL TO THE JOINT ETHICS COMMITTEE, IS NOT REQUIRED TO REPORT ANY INFORMATION UNDER THIS PARAGRAPH IF REPORTING THE INFORMATION WOULD VIOLATE STANDARDS OF CLIENT CONFIDENTIALITY OR PROFESSIONAL CONDUCT.”.

in line 20, after “(D)” insert “(1)”; in lines 21, 22, and 24, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; in line 24, after “2013,” insert “AND EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,”; in lines 25 and 26, strike “BY PROMPTLY POSTING THE INFORMATION”; in line 26, after “INTERNET” insert “THROUGH AN ONLINE REGISTRATION PROGRAM”; and after line 26, insert:

“(2) THE DEPARTMENT OF LEGISLATIVE SERVICES MAY NOT POST ON THE INTERNET INFORMATION RELATED TO CONSIDERATION RECEIVED THAT IS REPORTED UNDER SUBSECTION (B) OF THIS SECTION.”.

AMENDMENT NO. 5

On pages 5 through 12, strike in their entirety the lines beginning with line 27 on page 5 through line 2 on page 12, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The President of the Senate of Maryland and the Speaker of the Maryland House of Delegates jointly shall establish a workgroup during the 2012 interim to perform a comprehensive and coordinated review of the disclosure requirements of the Maryland Public Ethics Law as it applies to State and local governments.

(b) The President and the Speaker may appoint to the workgroup in their discretion:

- (1) members of the General Assembly;
- (2) representatives of the Maryland State Ethics Commission;
- (3) representatives of State, county, and municipal governments;
- (4) representatives of private sector agencies that promote and encourage government accountability;
- (5) representatives of public sector employees' unions; and
- (6) any other interested party.

(c) The workgroup shall:

(1) review current methods used to provide access to public ethics disclosures and consider any alternative methods that could be made available to citizens and interested parties to more easily access public ethics disclosures;

(2) consider options for verifiable notification of electronic or postal access into a public ethics disclosure to be made to the person who is the subject of the inquiry;

(3) consider the feasibility and desirability of requiring different levels of public ethics disclosure for different categories of persons based on the person's position of authority and policy making duties;

(4) review the information that is currently required to be disclosed and determine:

(i) additional information that should be required to be disclosed; and

(ii) information that is currently disclosed that no longer needs to be disclosed;

(5) consider the implications of current and any proposed disclosure requirements under the Maryland Public Ethics Law on counties and municipal corporations;

(6) review the composition, duties, and procedures of the Joint Ethics Committee;

(7) review any other aspect of the disclosure requirements under the Maryland Public Ethics Law; and

(8) on or before December 31, 2012, submit, in accordance with § 2-1246 of the State Government Article, any recommended legislation for the 2013 regular session to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee.”.

AMENDMENT NO. 6

On page 12, in line 3, strike “2.” and substitute “3.”; and in line 4, strike “October 1, 2012” and substitute “June 1, 2012. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2013, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect”.

The preceding 6 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1415)

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 523 SPONSOR: Senator Manno

SUBJECT: State and Local Revenue and Financing Act of 2012

THIRD READING CALENDAR HOUSE NO. 10 SENATE NO. 36

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Committee on Ways and Means Amendments (SB0523/725662/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0523/833427/1) be adopted.

SB0523/833427/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 523
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “individuals;” insert “altering the amount allowed as a deduction for certain exemptions under the Maryland income tax under certain circumstances; modifying a fiduciary’s adjusted gross income to add back that portion of an electing small business trust consisting of stock of one or more S corporations that is subject to special taxing rules under certain provisions of the Internal Revenue Code;”; strike beginning with “altering” in line 6 down through “proof;” in line 15; strike beginning with “altering” in line 21 down through “circumstances;” in line 25; in line 25, after “altering” insert “the maximum aggregate principal amount of school construction bonds that the Baltimore City Board of School Commissioners may issue; altering;” and in the same line, strike “a certain fee;” and substitute “certain fees; providing for the calculation of net taxable income for the calculation of certain State aid for education beginning in a certain fiscal year; providing for a delayed effective date for certain provisions of this Act; providing a certain grant for certain bus service in Montgomery County; authorizing the Governor to process a certain budget amendment during fiscal year 2013 for a certain purpose;”.

On page 2, in line 16, strike beginning with “2-609.” through “11-701(b)” and substitute “10-105(a), 10-211(b)”; in line 21, strike “10-704(a)” and substitute “10-204(a) and 10-211(a)”; in line 26, strike “2-608.2 and 11-701.1” and substitute “10-204(j)”; strike in their entirety lines 34 through 40, inclusive; and after line 40, insert:

“BY repealing and reenacting, with amendments,
Article – Education

Section 4–306.2(b)(1) and 5–202(a)(9)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 4–217(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)”.

On page 3, after line 4, insert:

“BY adding to

Article – Transportation
Section 10–207(b)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education
Section 5–202(a–1)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 14, strike beginning with “Except” through “for”; in line 15, before the first “an” insert “**FOR**”; in line 20, strike the brackets; in the same line, strike “**4.9%**”; in line 21, strike “**\$25,000**” and substitute “**\$100,000**”; strike beginning with “**4.95%**” in line 22 down through “**(VI)**” in line 24; in line 24, strike “**\$75,001**” and substitute “**\$100,001**”; in line 25, strike “**\$150,000**” and substitute “**\$125,000**”; in line 26, strike “\$150,001” and substitute “**\$125,001**”; in line 27, strike “\$300,000” and substitute “**\$150,000**”; in lines 26 and 28, strike “**(VII)**” and “**(VIII)**”, respectively, and substitute “**(VI)**” and “**(VII)**”, respectively; in line 27, strike “**AND**”; in line 28, strike “\$300,001” and substitute “**\$150,001**”; in line 29, strike “\$500,000” and substitute “**\$250,000; AND**

(VIII) 5.75% OF MARYLAND TAXABLE INCOME IN EXCESS OF \$250,000”.

On page 4, in line 1, strike beginning with “Except” through “for”; in line 2, before “spouses” insert “**FOR**”; in line 7, strike the brackets; in the same line, strike “**4.9%**”; in line 8, strike “**\$50,000**” and substitute “**\$150,000**”; strike beginning with “**4.95%**” in line 9 down through “**(VI)**” in line 11; in line 11, strike “**\$100,001**” and substitute “**\$150,001**”; in line 12, strike “**\$200,000**” and substitute “**\$175,000**”; in lines 13 and 15, strike “**(VII)**” and “**(VIII)**”, respectively, and substitute “**(VI)**” and “**(VII)**”, respectively; in line 13, strike “\$200,001” and substitute “**\$175,001**”; in line 14, strike “\$350,000” and substitute “**\$225,000**”; in the same line, strike “**AND**”; in line 15, strike “\$350,001” and substitute “**\$225,001**”; in line 16, strike “\$500,000” and substitute “**\$300,000; AND**

(VIII) 5.75% OF MARYLAND TAXABLE INCOME IN EXCESS OF \$300,000”.

On page 5, strike beginning with “**(3)**” in line 1 down through “**TITLE.**” in line 24.

AMENDMENT NO. 3

On page 5, after line 24, insert:

“10-204.

(a) To the extent excluded from federal adjusted gross income, the amounts under this section are added to the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(J) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2012, THE ADDITION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT OF INCOME OF AN ELECTING SMALL BUSINESS TRUST, AS DEFINED UNDER § 1361(E)(1) OF THE INTERNAL REVENUE CODE, THAT IS SUBJECT TO THE SPECIAL TAXING RULES UNDER § 641(C) OF THE INTERNAL REVENUE CODE.”.

AMENDMENT NO. 4

On page 5, before line 25, insert:

“10-211.

(a) Except as provided in subsection (b) of this section, whether or not a federal return is filed, to determine Maryland taxable income, an individual other than a fiduciary may deduct as an exemption:

(1) \$3,200 for each exemption that the individual may deduct in the taxable year to determine federal taxable income under § 151 of the Internal Revenue Code;

(2) an additional \$3,200 for each dependent, as defined in § 152 of the Internal Revenue Code, who is at least 65 years old on the last day of the taxable year;

(3) an additional \$1,000 if the individual, on the last day of the taxable year, is at least 65 years old; and

(4) an additional \$1,000 if the individual, on the last day of the taxable year, is a blind individual, as described in § 10–208(c) of this subtitle.

(b) (1) If an individual other than one described in paragraph (2) of this subsection has federal adjusted gross income for the taxable year greater than \$100,000, the amount allowed for each exemption under subsection (a)(1) or (2) of this section is limited to:

(i) ~~[\$2,400]~~ **\$1,600** if federal adjusted gross income for the taxable year does not exceed \$125,000;

(ii) ~~[\$1,800]~~ **\$800** if federal adjusted gross income for the taxable year is greater than \$125,000 but not greater than \$150,000; **AND**

(iii) ~~[\$1,200]~~ **\$0** if federal adjusted gross income for the taxable year is greater than \$150,000 ~~[but not greater than \$200,000; and~~

(iv) **\$600** if federal adjusted gross income for the taxable year is greater than \$200,000].

(2) If a married couple filing a joint return or an individual described in § 2 of the Internal Revenue Code as a head of household or as a surviving spouse has federal adjusted gross income for the taxable year greater than \$150,000, the amount allowed for each exemption under subsection (a)(1) or (2) of this section is limited to:

(i) [\$2,400] **\$1,600** if federal adjusted gross income for the taxable year does not exceed \$175,000;

(ii) [\$1,800] **\$800** if federal adjusted gross income for the taxable year is greater than \$175,000 but not greater than \$200,000; AND

(iii) [\$1,200] **\$0** if federal adjusted gross income for the taxable year is greater than \$200,000 [but not greater than \$250,000; and

(iv) \$600 if federal adjusted gross income for the taxable year is greater than \$250,000].”.

AMENDMENT NO. 5

On pages 5 and 6, strike in their entirety the lines beginning with line 25 on page 5 through line 22 on page 6, inclusive.

On pages 6 through 8, strike in their entirety the lines beginning with line 26 on page 6 through line 2 on page 8, inclusive.

AMENDMENT NO. 6

On page 8, in line 5, strike “**20%**” and substitute “**30%**”; and in line 12, strike “**20%**” and substitute “**15%**”.

AMENDMENT NO. 7

On pages 9 and 10, strike in their entirety the lines beginning with line 8 on page 9 through line 10 on page 10, inclusive.

On page 10, after line 10, insert:

“Article – Education

4–306.2.

(b) (1) Except as provided in paragraph (2) of this subsection, the aggregate principal amount of bonds outstanding, including the amount of any reserve fund requirement established for the bonds, may not exceed, as of the date that the bonds are issued, **[\$100,000,000] \$200,000,000.**

Article – Health – General4-217.

(c) (1) Except as otherwise provided by law:

(i) The Department shall collect a \$12 fee:

1. For each certified or abridged copy of a [death,] fetal death, marriage, or divorce verification certificate;

2. For a report that a search of the [death,] fetal death, marriage, or divorce verification certificate files was made and the requested record is not on file;

3. For each change to a [death,] fetal death, marriage, or divorce verification certificate made later than one year after the certificate has been registered with the Department; or

4. To process an adoption, foreign adoption, or legitimation; [and]

(ii) The Department shall collect a \$24 fee:

1. For each certified or abridged copy of a birth certificate;

2. FOR THE FIRST COPY OF A CERTIFIED OR ABRIDGED DEATH CERTIFICATE ISSUED IN A SINGLE TRANSACTION;

3. For a report that a search of the birth OR DEATH certificate files was made and the requested record is not on file; or

[3.] 4. For each change to a birth OR DEATH certificate made later than 1 year after the certificate has been registered with the Department; AND

(III) THE DEPARTMENT SHALL COLLECT A \$12 FEE FOR EACH ADDITIONAL CERTIFIED OR ABRIDGED COPY OF A DEATH CERTIFICATE PROVIDED CONCURRENTLY WITH AN INITIAL REQUESTED DEATH CERTIFICATE.”;

and after line 19, insert:

“Article – Transportation

10–207.

(b) (3) IN ADDITION TO THE GRANTS AUTHORIZED UNDER THIS SUBSECTION, BEGINNING IN FISCAL YEAR 2013, THE DEPARTMENT SHALL PROVIDE FOR ANNUAL GRANTS TO MONTGOMERY COUNTY FOR ELIGIBLE LOCAL BUS SERVICE IN THE AMOUNT OF:

(I) \$5,000,000 FOR OPERATING EXPENDITURES; AND

(II) \$5,000,000 FOR CAPITAL EXPENDITURES.”.

On pages 10 and 11, strike in their entirety the lines beginning with line 20 on page 10 through line 9 on page 11, inclusive.

AMENDMENT NO. 8

On page 11, after line 9, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5–202.

(a) (9) “Net taxable income” means:

(I) FOR FISCAL YEARS 2014 THROUGH 2017, THE AMOUNTS CERTIFIED BY THE STATE COMPTROLLER FOR THE SECOND COMPLETED CALENDAR YEAR BEFORE THE SCHOOL YEAR FOR WHICH THE CALCULATION OF

STATE AID UNDER THIS SECTION IS MADE, BASED ON TAX RETURNS FILED ON OR BEFORE SEPTEMBER 1 AND NOVEMBER 1 AFTER THIS CALENDAR YEAR IN THE FOLLOWING PROPORTIONS:

1. FOR FISCAL YEAR 2014, 80% OF THE SEPTEMBER 1 AMOUNT PLUS 20% OF THE NOVEMBER 1 AMOUNT;

2. FOR FISCAL YEAR 2015, 60% OF THE SEPTEMBER 1 AMOUNT PLUS 40% OF THE NOVEMBER 1 AMOUNT;

3. FOR FISCAL YEAR 2016, 40% OF THE SEPTEMBER 1 AMOUNT PLUS 60% OF THE NOVEMBER 1 AMOUNT; AND

4. FOR FISCAL YEAR 2017, 20% OF THE SEPTEMBER 1 AMOUNT PLUS 80% OF THE NOVEMBER 1 AMOUNT.

(II) FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER, the amount certified by the State Comptroller for the second completed calendar year before the school year for which the calculation of State aid under this section is made, based on tax returns filed on or before [September] NOVEMBER 1 after this calendar year.

(A-1) (1) IN THIS SUBSECTION, “NET TAXABLE INCOME ADJUSTMENT” MEANS, WITH RESPECT TO EDUCATION FORMULAS THAT USE WEALTH TO CALCULATE THE AMOUNT OF STATE AID, THE DECREASE IN STATE AID FOR A COUNTY THAT RESULTS FROM THE DIFFERENCE IN THE NET TAXABLE INCOME CALCULATED AS PROVIDED UNDER SUBSECTION (A)(9) OF THIS SECTION AND THE NET TAXABLE INCOME CALCULATED BASED ON TAX RETURNS FILED ON OR BEFORE SEPTEMBER 1.

(2) FOR EACH FISCAL YEAR BEGINNING WITH FISCAL YEAR 2014, THE AMOUNT OF THE NET TAXABLE INCOME ADJUSTMENT SHALL BE PROVIDED AS A GRANT TO EACH COUNTY THAT WOULD RECEIVE A TOTAL AMOUNT OF STATE AID FOR EDUCATION BASED ON USING NET TAXABLE INCOME AS CALCULATED UNDER SUBSECTION (A)(9) OF THIS SECTION THAT IS LESS THAN STATE AID FOR EDUCATION THE COUNTY WOULD RECEIVE USING NET TAXABLE INCOME BASED ON TAX RETURNS FILED ON OR BEFORE SEPTEMBER 1.”; in line

10, strike “5.” and substitute “6.”; in line 12, strike “6.” and substitute “7.”; in line 14, strike “7.” and substitute “8.”; in line 19, strike “8.” and substitute “9.”; in line 26, strike “9.” and substitute “10.”; in the same line, strike “5” and substitute “6”; strike in their entirety lines 29 through 34, inclusive; after line 28, insert:

“SECTION 11. AND BE IT FURTHER ENACTED, That the Governor may process a budget amendment in Fiscal Year 2013 of \$10,000,000 for local bus service in Montgomery County.”;

in line 35, strike “11.” and substitute “12.”; and in the same line, strike “6” and substitute “7”.

On page 12, in line 1, strike “12.” and substitute “13.”; after line 3, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall take effect July 1, 2013, and shall be applicable to the calculation of State education aid for fiscal years beginning after June 30, 2013.”;

and in line 4, strike “13.” and substitute “15.”.

Senate Members:

House Members:

Chair, **Edward J. Kasemeyer**

Chair, **Sheila E. Hixson**

James N. Robey

C. William Frick

Richard S. Madaleno, Jr.

Kumar P. Barve

James E. DeGrange, Sr.

Samuel I. Rosenberg

Verna L. Jones-Rodwell

John L. Bohanan, Jr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read only.

PETITIONS, MEMORIALS AND OTHER PAPERS

SUMMARY REPORT OF THE EXECUTIVE NOMINATIONS COMMITTEE –
2012 SESSION OF THE MARYLAND GENERAL ASSEMBLY

(See Exhibit S of Appendix III)

REPORT ON THE FISCAL 2013 STATE OPERATING BUDGET (SENATE BILL 150)
AND THE STATE CAPITAL BUDGET (SENATE BILL 151) AND
RELATED RECOMMENDATIONS BY THE CHAIRMEN
OF THE SENATE BUDGET AND TAXATION COMMITTEE AND
HOUSE APPROPRIATIONS COMMITTEE – JOINT CHAIRMEN’S REPORT

(See Exhibit T of Appendix III)

At 11:59 P.M. on motion of Senator Garagiola the Senate adjourned Sine Die.

Appendix I

Roll Calls

**Senate of Maryland
2012 Regular Session**

Election of Temporary Presiding Officer

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Election of Permanent Presiding Officer

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Rules

Adoption of Rules
(with the exception of Senate Rule 116)

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Orders

DESK OFFICERS

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

SB 46

Reapport. and Redist. Report No. 1
Sen. Mathias (SRR)

Somerset County - County Commissioners - Districts

Favorable (Emerg)
Suspend Rule 24/Constitutional Provision

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 46

Reapport. and Redist. Report No. 1

Sen. Mathias

(SRR)

Somerset County - County Commissioners - Districts

Favorable

(Emerg)

On third reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|-----------|---------------|-----------|
| Astle | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Mr. President

Jacobs

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
MARYLAND'S KOREAN AMERICANS
in recognition of the significant contributions that
Korean Americans have made in our nation, in the
State of Maryland and in our local communities.

44 Yeas 0 Nays 1 Not Voting 0 Excused 2 Absent

Voting Yea - 44

| | | |
|-----------|---------------|-----------|
| Astle | Gladden | Peters |
| Benson | Glassman | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | Muse | |

Voting Nay - 0

Not Voting - 1

Kelley

Excused from Voting - 0

Excused (Absent) - 2

Mr. President

Jacobs

**Senate of Maryland
2012 Regular Session**

Quorum

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|-----------|---------------|-----------|
| Astle | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Mr. President

Jacobs

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Mathias

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Mathias

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Getty

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
WILLIAM S. RATCHFORD II
in recognition of his unparalleled excellence in
public service on his 50th legislative session.

44 Yeas 0 Nays 2 Not Voting 0 Excused 1 Absent

Voting Yea - 44

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Peters |
| Astle | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Gladden | Muse | |

Voting Nay - 0

Not Voting - 2

| | |
|--------|--------|
| Benson | Jacobs |
|--------|--------|

Excused from Voting - 0

Excused (Absent) - 1

Getty

**Senate of Maryland
2012 Regular Session**

Quorum

45 Yeas 0 Nays 1 Not Voting 0 Excused 1 Absent

Voting Yea - 45

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |

Voting Nay - 0

Not Voting - 1

Jacobs

Excused from Voting - 0

Excused (Absent) - 1

Getty

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

BILL INTRODUCTIONS

suspend rules to send directly to standing committee
Bypass rules committee
SB 108 through SB 129

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Special Order

Rule 116
Change in rules

adoption

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

| | |
|--------------|--|
| SB 41 | Third Reading (SB) Calendar No.1 Sen. Colburn et al (JPR) Crl Co, Dor Co, Tal Co, and Wic Co - Prospective Empls and Vols - Crim History Rcds Check On Third Reading |
|--------------|--|

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Glassman

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Glassman

**Senate of Maryland
2012 Regular Session**

SB 9

Third Reading (SB) Calendar No.2

Sen. Forehand

(B&T)

Md Consolidated Capital Bond Loan of 2011 -

Montgomery Co - Mental Hlth Assn HVAC Replacement

On Third Reading

(Emerg)

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

Mr. President

Astle

Benson

Brinkley

Brochin

Colburn

Conway J

Currie

DeGrange

Dyson

Edwards

Ferguson

Forehand

Frosh

Garagiola

Getty

Gladden

Jacobs

Jennings

Jones-Rodwell

Kasemeyer

Kelley

King

Kittleman

Klausmeier

Madaleno

Manno

Mathias

McFadden

Middleton

Montgomery

Muse

Peters

Pinsky

Pipkin

Pugh

Ramirez

Raskin

Reilly

Robey

Rosapepe

Shank

Simonaire

Stone

Young

Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Glassman

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Glassman

Senate of Maryland
2012 Regular Session

Quorum - Attendance

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|------------|------------|
| Mr. President | Getty | Montgomery |
| Astle | Gladden | Peters |
| Benson | Glassman | Pinsky |
| Brinkley | Jacobs | Pipkin |
| Brochin | Jennings | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Jones-Rodwell

Muse

**Senate of Maryland
2012 Regular Session**

Quorum

44 Yeas 0 Nays 1 Not Voting 0 Excused 2 Absent

Voting Yea - 44

| | | |
|---------------|------------|-----------|
| Mr. President | Getty | Peters |
| Astle | Gladden | Pinsky |
| Benson | Glassman | Pipkin |
| Brinkley | Jennings | Pugh |
| Brochin | Kasemeyer | Ramirez |
| Colburn | Kelley | Raskin |
| Conway J | King | Reilly |
| Currie | Kittleman | Robey |
| DeGrange | Klausmeier | Rosapepe |
| Dyson | Madaleno | Shank |
| Edwards | Manno | Simonaire |
| Ferguson | Mathias | Stone |
| Forehand | McFadden | Young |
| Frosh | Middleton | Zirkin |
| Garagiola | Montgomery | |

Voting Nay - 0

Not Voting - 1

Jacobs

Excused from Voting - 0

Excused (Absent) - 2

Jones-Rodwell

Muse

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Dr. Martha A. Smith
in recognition of 18 years of exemplary leadership
as President of Anne Arundel Community College.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
The Owings Mills High School Moot Court Team
in recognition of your victory in the
2011 Maryland Invitational Moot Court Championship.
Congratulations!

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

44 Yeas 0 Nays 0 Not Voting 0 Excused 3 Absent

Voting Yea - 44

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |
| Gladden | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

| | | |
|-------|----------|--------|
| Astle | Forehand | Raskin |
|-------|----------|--------|

**Senate of Maryland
2012 Regular Session**

Quorum

44 Yeas 0 Nays 0 Not Voting 0 Excused 3 Absent

Voting Yea - 44

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |
| Gladden | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

| | | |
|-------|----------|--------|
| Astle | Forehand | Raskin |
|-------|----------|--------|

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|------------|-----------|
| Mr. President | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|-------|---------------|
| Astle | Jones-Rodwell |
|-------|---------------|

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
the MARYLAND LIBRARY COMMUNITY
in recognition of the 2012 Maryland Library Day,
which acknowledges the innovative services provided
by all Maryland libraries.

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|------------|-----------|
| Mr. President | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|-------|---------------|
| Astle | Jones-Rodwell |
|-------|---------------|

Senate of Maryland
2012 Regular Session

Quorum

44 Yeas 0 Nays 1 Not Voting 0 Excused 2 Absent

Voting Yea - 44

| | | |
|---------------|------------|-----------|
| Mr. President | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 1

Young

Excused from Voting - 0

Excused (Absent) - 2

| | |
|-------|---------------|
| Astle | Jones-Rodwell |
|-------|---------------|

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Astle

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Astle

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

44 Yeas 0 Nays 0 Not Voting 0 Excused 3 Absent

Voting Yea - 44

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |
| Gladden | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

| | | |
|-------|-------|------|
| Astle | Dyson | Muse |
|-------|-------|------|

**Senate of Maryland
2012 Regular Session**

Quorum

44 Yeas 0 Nays 0 Not Voting 0 Excused 3 Absent

Voting Yea - 44

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |
| Gladden | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

| | | |
|-------|-------|------|
| Astle | Dyson | Muse |
|-------|-------|------|

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Dyson

Senate of Maryland
2012 Regular Session

The Senate of Maryland
 offers its sincerest congratulations to
 University of Maryland Watershed Team
 in recognition of its outstanding victory in the U.S.
 Department of Energy Solar Decathlon 2011.

45 Yeas 0 Nays 1 Not Voting 0 Excused 1 Absent

Voting Yea - 45

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Edwards | Klausmeier | Robey |
| Ferguson | Madaleno | Rosapepe |
| Forehand | Manno | Shank |
| Frosh | Mathias | Simonaire |
| Garagiola | McFadden | Stone |
| Getty | Middleton | Young |
| Gladden | Montgomery | Zirkin |

Voting Nay - 0

Not Voting - 1

Benson

Excused from Voting - 0

Excused (Absent) - 1

Dyson

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Rebecca Castle 2011 History Day Teacher of the Year
and Amie Sanner 2011 Patricia Behring High School
History Day Teacher of the Year

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Dyson

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Dyson

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
ERNESTINE SHEPHERD
in recognition of being crowned by the Guinness Book
of World Records as the oldest competitive female
body builder ever.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 33 Third Reading (SB) Calendar No.3
Sen. Colburn (EHE)
Dorchester County - Alcoholic Beverages Licenses -
Beer, Wine and Liquor Licenses - Clubs
On Third Reading

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 1

Forehand

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 34 Third Reading (SB) Calendar No.3
Sen. Colburn (EHE)
Talbot County - Zoning Regulations - Enforcement

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

SB 37 Third Reading (SB) Calendar No.3
Sen. Colburn (EHE)
Dorchester County - Water and Sewer Service - Late
Fees
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 44

Third Reading (SB) Calendar No.3
Sen. Colburn
Dorchester County - Bay Restoration Fund -
Collection of Restoration Fee
On Third Reading

(EHE)

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 1

Stone

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 45

Third Reading (SB) Calendar No.3

Sen. Colburn

(EHE)

Dorchester County - Alcohol Awareness Program -

Certificate of Completion

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

Mr. President

Gladden

Muse

Astle

Glassman

Peters

Benson

Jacobs

Pinsky

Brinkley

Jennings

Pipkin

Brochin

Jones-Rodwell

Pugh

Colburn

Kasemeyer

Ramirez

Conway J

Kelley

Raskin

Currie

King

Reilly

DeGrange

Kittleman

Robey

Dyson

Klausmeier

Rosapepe

Edwards

Madaleno

Shank

Ferguson

Manno

Simonaire

Forehand

Mathias

Stone

Frosh

McFadden

Young

Garagiola

Middleton

Zirkin

Getty

Montgomery

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Forehand

SENATE ROLL CALL NO. 103 ADATE: 2/1/12

Senate of Maryland

Joint Session

| | YEAS | NAYS |
|--------------------|----------------|------|
| MR. PRESIDENT..... | \ | |
| ASTLE..... | \ | |
| BENSON..... | \ | |
| BRINKLEY..... | \ | |
| BROCHIN..... | \ | |
| COLBURN..... | \ | |
| CONWAY..... | \ | |
| CURRIE..... | \ | |
| DEGRANGE..... | \ | |
| DYSON..... | \ | |
| EDWARDS..... | \ | |
| FERGUSON..... | \ | |
| FOREHAND..... | <i>Excused</i> | |
| FROSH..... | \ | |
| GARAGIOLA..... | \ | |
| GETTY..... | \ | |
| GLADDEN..... | \ | |
| GLASSMAN..... | \ | |
| JACOBS..... | \ | |
| JENNINGS..... | \ | |
| JONES-RODWELL..... | \ | |
| KASEMEYER..... | \ | |
| KELLEY..... | \ | |
| KING..... | \ | |

| | YEAS | NAYS |
|-----------------|------|------|
| KITTLEMAN..... | \ | |
| KLAUSMEIER..... | \ | |
| MADALENO..... | \ | |
| MANNO..... | \ | |
| MATHIAS..... | \ | |
| McFADDEN..... | \ | |
| MIDDLETON..... | \ | |
| MONTGOMERY..... | \ | |
| MUSE..... | \ | |
| PETERS..... | \ | |
| PINSKY..... | \ | |
| PIPKIN..... | \ | |
| PUGH..... | \ | |
| RAMIREZ..... | \ | |
| RASKIN..... | \ | |
| REILLY..... | \ | |
| ROBEY..... | \ | |
| ROSAPEPE..... | \ | |
| SHANK..... | \ | |
| SIMONAIRE..... | \ | |
| STONE..... | \ | |
| YOUNG..... | \ | |
| ZIRKIN..... | \ | |

AFFIRMATIVE: 46

NEGATIVE: _____

**Maryland House of Delegates
2012 Regular Session**

JOINT SESSION

HOUSE QUORUM

138 Yeas 0 Nays 1 Not Voting 0 Excused 2 Absent

Voting Yea - 138

| | | | | |
|---------------|-----------------|------------|----------------|-----------------|
| Speaker Busch | Cullison | Holmes | McIntosh | Rudolph |
| Afzali | Davis | Hough | McMillan | Schuh |
| Alston | DeBoy | Howard | Miller, A. | Schulz |
| Anderson | Donoghue | Hubbard | Miller, W. | Serafini |
| Arora | Dumais | Hucker | Minnick | Simmons |
| Aumann | Dwyer | Impallaria | Mitchell | Smigiel |
| Barkley | Eckardt | Ivey | Mizeur | Sophocleus |
| Barnes | Elliott | Jacobs | Morhaim | Stein |
| Barve | Feldman | James | Murphy | Stifler |
| Bates | Fisher | Jameson | Myers | Stocksdale |
| Beidle | Frank | Jones | Nathan-Pulliam | Stukes |
| Beitzel | Frick | Kach | Niemann | Summers |
| Bobo | Frush | Kaiser | Norman | Szeliga |
| Bohanan | Gaines | Kelly, A. | O'Donnell | Tarrant |
| Boteler | George | Kelly, K. | Oaks | Turner, V. |
| Branch | Gilchrist | Kipke | Olszewski | Valderrama |
| Braveboy | Glass | Kramer | Otto | Valentino-Smith |
| Bromwell | Glenn | Krebs | Parrott | Vallario |
| Burns | Gutierrez | Lafferty | Pena-Melnyk | Vaughn |
| Cane | Guzzone | Lee | Pendergrass | Vitale |
| Cardin | Haddaway-Riccio | Love | Proctor | Waldstreicher |
| Carr | Hammen | Luedtke | Ready | Walker |
| Clagett | Harrison | Malone | Ryznik | Washington |
| Clippinger | Haynes | McComas | Robinson, B. | Weir |
| Cluster | Healey | McConkey | Robinson, S. | Wilson |
| Conaway | Hershey | McDermott | Rosenberg | Wood |
| Conway | Hixson | McDonough | Ross | Zucker |
| Costa | Hogan | McHale | | |

Voting Nay - 0

Not Voting - 1

Carter

Excused from Voting - 0

Excused (Absent) - 2

Griffith

Turner, F.

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Benson | Glassman | Muse |
| Brinkley | Jacobs | Peters |
| Brochin | Jennings | Pinsky |
| Colburn | Jones-Rodwell | Pipkin |
| Conway J | Kasemeyer | Pugh |
| Currie | Kelley | Ramirez |
| DeGrange | King | Raskin |
| Dyson | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|-------|--------|
| Astle | Reilly |
|-------|--------|

**Senate of Maryland
2012 Regular Session**

Quorum

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Benson | Glassman | Muse |
| Brinkley | Jacobs | Peters |
| Brochin | Jennings | Pinsky |
| Colburn | Jones-Rodwell | Pipkin |
| Conway J | Kasemeyer | Pugh |
| Currie | Kelley | Ramirez |
| DeGrange | King | Raskin |
| Dyson | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|-------|--------|
| Astle | Reilly |
|-------|--------|

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Getty | Montgomery |
| Astle | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Jones-Rodwell | Pugh |
| Conway J | Kasemeyer | Ramirez |
| Currie | Kelley | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|------|--------|
| King | Zirkin |
|------|--------|

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
AMERICAN HEART ASSOCIATION
in recognition of "National Wear Red Day" to help
raise awareness about the No. 1 killer of women--
heart disease.

44 Yeas 0 Nays 1 Not Voting 0 Excused 2 Absent

Voting Yea - 44

| | | |
|---------------|------------|-----------|
| Mr. President | Getty | Muse |
| Astle | Gladden | Peters |
| Benson | Glassman | Pinsky |
| Brinkley | Jacobs | Pipkin |
| Brochin | Jennings | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | |

Voting Nay - 0

Not Voting - 1

Jones-Rodwell

Excused from Voting - 0

Excused (Absent) - 2

| | |
|------|--------|
| King | Zirkin |
|------|--------|

**Senate of Maryland
2012 Regular Session**

**SPECIAL ORDER
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 1 (except 6.Marcus L. Brown)
Question is shall the Senate advise and consent to
the nominations of the Chief Executive?

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Getty | Montgomery |
| Astle | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Jones-Rodwell | Pugh |
| Conway J | Kasemeyer | Ramirez |
| Currie | Kelley | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|------|--------|
| King | Zirkin |
|------|--------|

**Senate of Maryland
2012 Regular Session**

Quorum

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Getty | Montgomery |
| Astle | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Jones-Rodwell | Pugh |
| Conway J | Kasemeyer | Ramirez |
| Currie | Kelley | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|------|--------|
| King | Zirkin |
|------|--------|

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
MIDDLETOWN HIGH SCHOOL FOOTBALL TEAM
in recognition of your winning the Maryland Class 2A
Championship. We applaud your outstanding season and
wish you many more. Congratulations!

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Manchester Valley High School Girls Soccer Team
in recognition of your winning the 2011 Class A State
Girls Soccer Championship.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Maureen Martin
in recognition of her role in representing the State
of Maryland as the 2011 Cherry Blossom Princess.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
TAYLOR BARFIELD
in recognition of her role in representing the State
of Maryland as the 2012 Cherry Blossom Princess.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
MIDDLETOWN HIGH SCHOOL GIRLS SOCCER TEAM
in recognition of your winning the Maryland Class 2A
Championship. We applaud your outstanding season and
wish you many more. Congratulations!

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 23

Third Reading (SB) Calendar No.4

Sen. Reilly

(FIN)

Public Safety - Elevator Safety Review Board -
Membership

On Third Reading

43 Yeas 4 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 43

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Mathias | Shank |
| Forehand | McFadden | Simonaire |
| Frosh | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 4

| | | |
|-----------|-------|-------|
| Dyson | Manno | Stone |
| Garagiola | | |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 30

Third Reading (SB) Calendar No.4

Sen. Klausmeier

(FIN)

Injured Workers' Insurance Fund - Cancellation of
Policies - Failure to Pay a Premium
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

SB 49

Third Reading (SB) Calendar No.4

Sen. Astle et al

(FIN)

Horse Racing - Maryland-Bred Race Fund -

Administration

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 121

Third Reading (SB) Calendar No.4
 Ch., Finance Com.

(FIN)

Senior Prescription Drug Assistance Program -
 Sunset Extension
 On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0**Not Voting - 0****Excused from Voting - 0****Excused (Absent) - 0**

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
University of Maryland Eastern Shore
in recognition of the 125th anniversary of its found-
ing as an institution educating children of freedmen
and descendants of former slaves.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
AMBASSADOR TEBELELO SERETSE in recognition of
your prestigious accomplishments and dedicated ser-
vice earning you the esteemed position of Ambassador
of the Republic of Bostswana to the United States.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Edwards

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

Senate of Maryland
2012 Regular Session

SB 16 Laid-over Bills
Sen. Ramirez (JPR)
Jury Service - Employers - Prohibited Acts

Adoption of committee amendments /508779/1

28 Yeas 18 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 28

| | | |
|---------------|---------------|----------|
| Mr. President | Jones-Rodwell | Muse |
| Astle | Kasemeyer | Peters |
| Benson | Kelley | Pinsky |
| Conway J | King | Pugh |
| Currie | Madaleno | Ramirez |
| Ferguson | Manno | Raskin |
| Forehand | McFadden | Robey |
| Frosh | Middleton | Rosapepe |
| Garagiola | Montgomery | Stone |
| Gladden | | |

Voting Nay - 18

| | | |
|----------|------------|-----------|
| Brinkley | Getty | Pipkin |
| Brochin | Glassman | Reilly |
| Colburn | Jacobs | Shank |
| DeGrange | Kittleman | Simonaire |
| Dyson | Klausmeier | Young |
| Edwards | Mathias | Zirkin |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

Senate of Maryland
2012 Regular Session

| | | |
|--|---|---------|
| SB 51 | Third Reading (SB) Calendar No.5 Sen. Ferguson | (EHE) |
| Baltimore City - Board of Liquor License | | |
| Commissioners - Transfer of License | | |
| On Third Reading | | (Emerg) |

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

**Senate of Maryland
2012 Regular Session**

SB 66 Third Reading (SB) Calendar No.5
Sen. Glassman et al (EHE)
Harford County - Alcoholic Beverages Licenses -
Class C-3 Club License
On Third Reading

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

Senate of Maryland
2012 Regular Session

SB 67 Third Reading (SB) Calendar No.5
Sen. Glassman et al (EHE)
Harford County - Alcoholic Beverages Licenses -
Residency Requirement for Applicants
On Third Reading

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

**Senate of Maryland
2012 Regular Session**

| | |
|--|---|
| SB 103 Dorchester County - Alcoholic Beverages - Hours for Sale On Third Reading | Third Reading (SB) Calendar No.5 Sen. Colburn (EHE) |
|--|---|

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

Senate of Maryland
2012 Regular Session

SB 104 Third Reading (SB) Calendar No.5
Sen. Colburn (EHE)
Dorchester County - Sailwinds Park, Inc. - Service
of Alcohol - Wristbands
On Third Reading

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

**Senate of Maryland
2012 Regular Session**

| | |
|---------------|---|
| SB 105 | Third Reading (SB) Calendar No.5 Sen. Colburn (EHE) Caroline County and Dorchester County - Turkey Hunting on Private Property - Sundays On Third Reading (Emerg) |
|---------------|---|

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

Senate of Maryland
2012 Regular Session

SB 106

Third Reading (SB) Calendar No.5

Sen. Colburn

(EHE)

Talbot County - Alcoholic Beverages Violations -

Issuance of Citations

On Third Reading

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

Senate of Maryland
2012 Regular Session

SB 47

Third Reading (SB) Calendar No.6

Sen. Madaleno

(B&T)

Md Consolidated Capital Bond Loans of 2002 and
2009 - Montgomery Co - MacDonald Knolls Center

On Third Reading

(Emerg)

45 Yeas 0 Nays 1 Not Voting 0 Excused 1 Absent

Voting Yea - 45

Mr. President

Astle

Benson

Brinkley

Brochin

Colburn

Conway J

Currie

DeGrange

Dyson

Edwards

Ferguson

Forehand

Frosh

Garagiola

Getty

Gladden

Glassman

Jacobs

Jones-Rodwell

Kasemeyer

Kelley

King

Kittleman

Klausmeier

Madaleno

Manno

Mathias

McFadden

Middleton

Montgomery

Muse

Peters

Pipkin

Pugh

Ramirez

Raskin

Reilly

Robey

Rosapepe

Shank

Simonaire

Stone

Young

Zirkin

Voting Nay - 0

Not Voting - 1

Pinsky

Excused from Voting - 0

Excused (Absent) - 1

Jennings

Senate of Maryland
2012 Regular Session

SB 174 Third Reading (SB) Calendar No.6
Sen. Klausmeier et al (FIN)
Subsequent Injury Fund and Uninsured Employers'
Fund - Assessments on Settlement Agreements
On Third Reading

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

Senate of Maryland
2012 Regular Session

| | |
|---------------|---|
| SB 187 | Third Reading (SB) Calendar No.6 Ch., Finance Com. (FIN) St Comm of Real Este Appraisers and Home Inspectors - Sunset Ext and Program Evaluation On Third Reading |
|---------------|---|

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

**Senate of Maryland
2012 Regular Session**

| | |
|---------------|--|
| SB 326 | Third Reading (SB) Calendar No.6 Sen. DeGrange (B&T) Maryland Consolidated Capital Bond Loan of 2005 - Anne Arundel County - Benson-Hammond House On Third Reading (Emerg) |
|---------------|--|

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Jennings

Quorum - Attendance

Voting Yea - 45

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Benson Muse

**Senate of Maryland
2012 Regular Session**

**SPECIAL ORDERS
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 1 Nominee #6
Question is shall the Senate advise and consent to
the nominations of the Chief Executive?

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Jones-Rodwell | Pugh |
| Conway J | Kasemeyer | Ramirez |
| Currie | Kelley | Raskin |
| DeGrange | King | Reilly |
| Dyson | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|--------|------|
| Benson | Muse |
|--------|------|

**Senate of Maryland
2012 Regular Session**

**SPECIAL ORDERS
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 2 (except Nominee #33)
Question is shall the Senate advise and consent to
the nominations of the Chief Executive?

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Jones-Rodwell | Pugh |
| Conway J | Kasemeyer | Ramirez |
| Currie | Kelley | Raskin |
| DeGrange | King | Reilly |
| Dyson | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|--------|------|
| Benson | Muse |
|--------|------|

**Senate of Maryland
2012 Regular Session**

**SPECIAL ORDERS
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 2 Nominee #33
Question is shall the Senate advise and consent to
the nominations of the Chief Executive?

44 Yeas 0 Nays 0 Not Voting 1 Excused 2 Absent

Voting Yea - 44

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Peters |
| Astle | Glassman | Pinsky |
| Brinkley | Jacobs | Pipkin |
| Brochin | Jennings | Pugh |
| Colburn | Jones-Rodwell | Ramirez |
| Conway J | Kasemeyer | Raskin |
| Currie | Kelley | Reilly |
| DeGrange | King | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 1

Kittleman

Excused (Absent) - 2

Benson

Muse

**Senate of Maryland
2012 Regular Session**

Quorum

44 Yeas 0 Nays 1 Not Voting 0 Excused 2 Absent

Voting Yea - 44

| | | |
|---------------|------------|-----------|
| Mr. President | Gladden | Peters |
| Astle | Glassman | Pinsky |
| Brinkley | Jacobs | Pipkin |
| Brochin | Jennings | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 1

Jones-Rodwell

Excused from Voting - 0

Excused (Absent) - 2

Benson

Muse

Senate of Maryland
2012 Regular Session

SB 20

Third Reading (SB) Calendar No.7
Sen. Astle

(JPR)

Vehicle Laws - Special and Commemorative
Registration Plates
On Third Reading

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Jones-Rodwell | Pugh |
| Conway J | Kasemeyer | Ramirez |
| Currie | Kelley | Raskin |
| DeGrange | King | Reilly |
| Dyson | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|--------|------|
| Benson | Muse |
|--------|------|

**Senate of Maryland
2012 Regular Session**

Quorum

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Jones-Rodwell | Pugh |
| Conway J | Kasemeyer | Ramirez |
| Currie | Kelley | Raskin |
| DeGrange | King | Reilly |
| Dyson | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Benson

Muse

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
LINGANORE HIGH SCHOOL BOYS LACROSSE TEAM
in recognition of your winning the Maryland Class
3A/4A Championship.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 16 Third Reading (SB) Calendar No.8
Sen. Ramirez et al (JPR)
Jury Service - Employers - Prohibited Acts

On Third Reading

26 Yeas 20 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 26

| | | |
|---------------|---------------|----------|
| Mr. President | Jones-Rodwell | Muse |
| Benson | Kasemeyer | Peters |
| Conway J | Kelley | Pinsky |
| Currie | King | Pugh |
| Ferguson | Madaleno | Ramirez |
| Forehand | Manno | Raskin |
| Frosh | McFadden | Robey |
| Garagiola | Middleton | Rosapepe |
| Gladden | Montgomery | |

Voting Nay - 20

| | | |
|----------|------------|-----------|
| Astle | Getty | Pipkin |
| Brinkley | Glassman | Reilly |
| Brochin | Jacobs | Shank |
| Colburn | Jennings | Simonaire |
| DeGrange | Kittleman | Young |
| Dyson | Klausmeier | Zirkin |
| Edwards | Mathias | |

Not Voting - 1

Stone

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 209 Third Reading (SB) Calendar No.8
Sen. Kelley (FIN)
Real Estate Settlements - Paying or Receiving
Consideration - Penalties
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| |
|--|
| SB 258 Third Reading (SB) Calendar No.8 Sen. Glassman (FIN) Credit Regulation - Installment Loans Secured by Motor Vehicle Lien - Balloon Payments On Third Reading |
|--|

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| | |
|--|--|
| SB 290 Financial Institutions - Savings Banks - Conversions On Third Reading | Third Reading (SB) Calendar No.8 Ch., Finance Com. (FIN) |
|--|--|

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 303

Third Reading (SB) Calendar No.8
Ch., Finance Com.

(FIN)

Credit Regulation - Debt Management Services -
Agreement and Prohibited Acts
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
CASEY MILLER
in recognition of being crowned
MISS MARYLAND AGRICULTURE 2011.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 1

Benson

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| | | |
|--|----------------------------------|-------|
| SB 5 | Third Reading (SB) Calendar No.9 | |
| | Sen. Jacobs et al | (B&T) |
| Harford Co Prop Tax Credit - Homes Near a Refuse | | |
| Disposal Sys - Extension to Additional Props | | |
| On Third Reading | | |

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 1

Benson

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| | |
|--|---|
| SB 6 Property Tax - Exemption for Blind Individuals and Surviving Spouses On Third Reading | Third Reading (SB) Calendar No.9 Sen. Reilly (B&T) |
|--|---|

45 Yeas 0 Nays 2 Not Voting 0 Excused 0 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Muse |
| Brinkley | Jacobs | Peters |
| Brochin | Jennings | Pipkin |
| Colburn | Jones-Rodwell | Pugh |
| Conway J | Kasemeyer | Ramirez |
| Currie | Kelley | Raskin |
| DeGrange | King | Reilly |
| Dyson | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 2

| | |
|--------|--------|
| Benson | Pinsky |
|--------|--------|

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| | | |
|--|----------------------------------|-------|
| SB 8 | Third Reading (SB) Calendar No.9 | |
| | Sen. Astle | (B&T) |
| Maryland Income Tax Refund - Anne Arundel County - | | |
| Warrants | | |
| On Third Reading | | |

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 1

Benson

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

SB 19

Third Reading (SB) Calendar No.9

Sen. Peters et al

(B&T)

Sales and Use Tax - Exemption - Veterans'

Organizations

On Third Reading

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 1

Benson

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| | | |
|---------------|--|-------|
| SB 167 | Third Reading (SB) Calendar No.9 Sen. Currie Tax Credits for Qualifying Employees with Disabilities - Sunset Repeal On Third Reading | (B&T) |
|---------------|--|-------|

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 1

Benson

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
THE MARYLAND SCHOOL FOR THE BLIND
in recognition of their outstanding work educating
children who are blind or visually impaired including
those with multiple disabilities.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 1

Jones-Rodwell

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland congratulates the
MARYLAND FALL STOCK MARKET GAME SCHOOLS:
JOPPATOWNE ELEMENTARY SCHOOL
EASTON MIDDLE SCHOOL
FRANKLIN HIGH SCHOOL
SOUTHERN GARRETT HIGH SCHOOL

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
the STUDENTS OF TOWSON UNIVERSITY
in recognition of your 13th successful
TIGER PRIDE ADVOCACY DAY.

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 1

Conway J

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
JOSHUA PARKER, WINDSOR MILL MIDDLE SCHOOL
in recognition of being selected 2012 Maryland
Teacher of the Year and congratulations to all the
2011-2012 Teachers of the Year in the counties.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| | | |
|------------------------|-----------------------------------|---------|
| SB 379 | Third Reading (SB) Calendar No.10 | |
| | The President | (SRU) |
| Annual Corrective Bill | | |
| On Third Reading | | (Emerg) |

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 380

Third Reading (SB) Calendar No.10

The President

(SRU)

Annual Curative Bill

On Third Reading

(Emerg)

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

SB 72

Special Orders
Sen. Kelley

(FIN)

Med and Den Treatment - Consent by Minors and
Protections for Lic'd Hlth Care Practitioners
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 85 Third Reading (SB) Calendar No.11
Sen. Jennings et al (EHE)
Election Law - Baltimore County Republican Party
Central Committee - Election of Chairman
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 94

Third Reading (SB) Calendar No.11

The President

(EHE)

St Bd for Certfn of Resid Child Care Program Profs

- Sunset Ext and Program Evaluation

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

Mr. President

Astle

Benson

Brinkley

Brochin

Colburn

Conway J

Currie

DeGrange

Dyson

Edwards

Ferguson

Forehand

Frosh

Garagiola

Getty

Gladden

Glassman

Jacobs

Jennings

Jones-Rodwell

Kasemeyer

Kelley

King

Kittleman

Klausmeier

Madaleno

Manno

Mathias

McFadden

Middleton

Montgomery

Muse

Peters

Pinsky

Pipkin

Pugh

Ramirez

Raskin

Reilly

Robey

Rosapepe

Shank

Simonaire

Stone

Young

Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 95

Third Reading (SB) Calendar No.11

The President

(EHE)

State Board of Social Work Examiners - Sunset

Extension and Program Evaluation

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 96

Third Reading (SB) Calendar No.11

The President

(EHE)

Occupational and Professional Licensing Design

Boards - Sunset Provisions and Program Evaluation

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 109

Third Reading (SB) Calendar No.11
Chair, EHE Com.

(EHE)

State Board of Architects - Continuing
Professional Competency
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 144

Third Reading (SB) Calendar No.11

Chair, EHE Com.

(EHE)

DLLR - Occupational and Prof Licensing - Licensees

on Military Deployment

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 147 Third Reading (SB) Calendar No.11
Chair, EHE Com. (EHE)
State Govt - Administrative Procedure Act -
Changes to Previously Published Proposed Regs
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 226

Third Reading (SB) Calendar No.11

Ch., Finance Com.

(FIN)

Commissioner of Labor and Industry - Inflatable

Amusement Attractions - Inspection

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 231

Third Reading (SB) Calendar No.11

Ch., Finance Com.

(FIN)

Individuals with Disabilities - Attendant Care

Program

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0**Not Voting - 0****Excused from Voting - 0****Excused (Absent) - 0**

**Senate of Maryland
2012 Regular Session**

SB 282

Third Reading (SB) Calendar No.11
Ch., Finance Com.

(FIN)

Office of Cemetery Oversight - Sunset Extension
and Program Evaluation
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 68

Third Reading (SB) Calendar No.12

Sen. Glassman et al

(EHE)

Harford County - Alcoholic Beverages - Wine

Festival License

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 88

Third Reading (SB) Calendar No.12

Sen. Glassman

(EHE)

Local States of Emergency - Time Period -

Extension

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 112 Third Reading (SB) Calendar No.12
Chair, EHE Com. (EHE)
Maryland Agricultural Land Preservation Foundation
- Appraisal Requirement
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 113

Third Reading (SB) Calendar No.12

Chair, EHE Com.

(EHE)

Weights and Measures - Registration Fees

On Third Reading

46 Yeas 1 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | | |

Voting Nay - 1

Simonaire

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 114

Third Reading (SB) Calendar No.12

Chair, EHE Com.

(EHE)

Environment - Controlled Hazardous Substance

Driver Certification - Elimination

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 115

Third Reading (SB) Calendar No.12
Chair, EHE Com.

(EHE)

Environment - Waterworks and Wastewater Works
Certified Operators
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 117

Third Reading (SB) Calendar No.12
Chair, EHE Com.

(EHE)

Environment - Water Appropriation Permits -
Construction Dewatering Projects
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 118

Third Reading (SB) Calendar No.12
Chair, EHE Com.

(EHE)

Voluntary Agricultural Nutrient and Sediment
Credit Certification Program
On Third Reading

45 Yeas 0 Nays 2 Not Voting 0 Excused 0 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Getty | Montgomery |
| Astle | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jacobs | Pinsky |
| Brochin | Jennings | Pipkin |
| Colburn | Jones-Rodwell | Pugh |
| Conway J | Kasemeyer | Ramirez |
| Currie | Kelley | Raskin |
| DeGrange | King | Reilly |
| Dyson | Kittleman | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 2

| | |
|------------|-------|
| Klausmeier | Young |
|------------|-------|

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 143 Third Reading (SB) Calendar No.12
Chair, EHE Com. (EHE)
Education - Comprehensive Master Plans

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

**SPECIAL ORDERS
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 3

Question is shall the Senate advise and consent to
the nominations of the Chief Executive?

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 14

Third Reading (SB) Calendar No.13

Sen. Conway

(EHE)

State Board of Morticians and Funeral Directors -

Examinations of Applicants and Licensees

On Third Reading

42 Yeas 5 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 42

Mr. President

Astle

Benson

Brinkley

Brochin

Colburn

Conway J

Currie

DeGrange

Dyson

Edwards

Ferguson

Forehand

Frosh

Garagiola

Gladden

Glassman

Jones-Rodwell

Kasemeyer

Kelley

King

Kittleman

Klausmeier

Madaleno

Manno

Mathias

McFadden

Middleton

Montgomery

Muse

Peters

Pinsky

Pugh

Ramirez

Raskin

Robey

Rosapepe

Shank

Simonaire

Stone

Young

Zirkin

Voting Nay - 5

Getty

Jacobs

Jennings

Pipkin

Reilly

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 48

Third Reading (SB) Calendar No.13

Baltimore Co. Senators et al (JPR)

Baltimore County - Orphans' Court Judges -

Qualifications

On Third Reading (Const)

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 1

Muse

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 58

Third Reading (SB) Calendar No.13

Sen. Kelley

(EHE)

Ed - Chldrn in Informal Kinship Care Rltshps -

Payments for Stdts with Dsblts - Fndg

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

Mr. President

Astle

Benson

Brinkley

Brochin

Colburn

Conway J

Currie

DeGrange

Dyson

Edwards

Ferguson

Forehand

Frosh

Garagiola

Getty

Gladden

Glassman

Jacobs

Jennings

Jones-Rodwell

Kasemeyer

Kelley

King

Kittleman

Klausmeier

Madaleno

Manno

Mathias

McFadden

Middleton

Montgomery

Muse

Peters

Pinsky

Pipkin

Pugh

Ramirez

Raskin

Reilly

Robey

Rosapepe

Shank

Simonaire

Stone

Young

Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 59

Third Reading (SB) Calendar No.13

Sen. Kelley

(JPR)

State Commission on Criminal Sentencing Policy -

Annual Report - Reporting Date

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

Mr. President

Astle

Benson

Brinkley

Brochin

Colburn

Conway J

Currie

DeGrange

Dyson

Edwards

Ferguson

Forehand

Frosh

Garagiola

Getty

Gladden

Glassman

Jacobs

Jennings

Jones-Rodwell

Kasemeyer

Kelley

King

Kittleman

Klausmeier

Madaleno

Manno

Mathias

McFadden

Middleton

Montgomery

Muse

Peters

Pinsky

Pipkin

Pugh

Ramirez

Raskin

Reilly

Robey

Rosapepe

Shank

Simonaire

Stone

Young

Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 108

Third Reading (SB) Calendar No.13
Chair, EHE Com.

(EHE)

Maryland Horse Industry Board - Licensing

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 126

Third Reading (SB) Calendar No.13

Chair, EHE Com.

(EHE)

Department of Natural Resources - Land

Preservation and Recreation Plans

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 134 Third Reading (SB) Calendar No.13
Sen. Conway (EHE)
State Real Estate Commission - Sunset Extension
and Program Evaluation
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

SB 141

Third Reading (SB) Calendar No.13

Ch., Jud. Proceed.

(JPR)

Criminal Procedure - Criminal Justice Information

System Central Repository - Reporting Data

On Third Reading

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

Mr. President

Astle

Benson

Brinkley

Brochin

Colburn

Conway J

Currie

DeGrange

Dyson

Edwards

Ferguson

Forehand

Frosh

Garagiola

Getty

Gladden

Glassman

Jacobs

Jennings

Jones-Rodwell

Kasemeyer

Kelley

King

Kittleman

Klausmeier

Madaleno

Manno

Mathias

McFadden

Middleton

Montgomery

Muse

Peters

Pinsky

Pipkin

Pugh

Ramirez

Raskin

Reilly

Robey

Rosapepe

Shank

Simonaire

Young

Zirkin

Voting Nay - 0

Not Voting - 1

Stone

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 146

Third Reading (SB) Calendar No.13

Chair, EHE Com.

(EHE)

Public Ethics - Financial Disclosure Statements -

Mutual Funds

On Third Reading

46 Yeas 1 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 1

Ferguson

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 148

Third Reading (SB) Calendar No.13

Chair, EHE Com.

(EHE)

Maryland Agricultural Land Preservation Foundation

- Lot Release

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 149 Third Reading (SB) Calendar No.13
Chair, EHE Com. (EHE)
State Government - Maryland Veterans Commission -
Membership
On Third Reading

45 Yeas 0 Nays 2 Not Voting 0 Excused 0 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Getty | Montgomery |
| Astle | Gladden | Muse |
| Benson | Glassman | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 2

| | |
|--------|--------|
| Jacobs | Raskin |
|--------|--------|

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SS 1

The President

In Re: Senator Ulysses Currie Resolution of
Censure
Motion to adopt

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|-------|------|
| Dyson | Muse |
|-------|------|

Senate of Maryland
2012 Regular Session

The Senate of Maryland
offers its sincerest congratulations to
GLENELG HIGH SCHOOL GIRLS FIELD HOCKEY TEAM
in recognition of your winning the Maryland 2A State
Title for the second consecutive year. We applaud
your outstanding season and wish you many more.

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|-------|------|
| Dyson | Muse |
|-------|------|

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
ALYSSA PARKER
in recognition of being named to the High School
Field Hockey All-American Team and being the second
recorded player to have 100 goals and 100 assists.

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|-------|------|
| Dyson | Muse |
|-------|------|

Senate of Maryland
2012 Regular Session

The Senate of Maryland
offers its sincerest congratulations to
GIRLS SCOUTS OF THE UNITED STATES OF AMERICA
in recognition of the 100th Anniversary of providing
girls the opportunity to develop courage, confidence,
and character.

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Dyson

Muse

**Senate of Maryland
2012 Regular Session**

Quorum

45 Yeas 0 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Edwards | Klausmeier | Rosapepe |
| Ferguson | Madaleno | Shank |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Dyson

Muse

Senate of Maryland
2012 Regular Session

SB 78

Third Reading (SB) Calendar No.14

Sen. Kelley

(JPR)

Real Property - Condominiums and Homeowners Assns

- Foreclosure of Certain Liens Prohibited

On Third Reading

37 Yeas 8 Nays 0 Not Voting 0 Excused 2 Absent

Voting Yea - 37

| | | |
|---------------|---------------|------------|
| Mr. President | Jennings | Montgomery |
| Astle | Jones-Rodwell | Peters |
| Benson | Kasemeyer | Pinsky |
| Brochin | Kelley | Pugh |
| Conway J | King | Ramirez |
| Currie | Kittleman | Raskin |
| DeGrange | Klausmeier | Robey |
| Ferguson | Madaleno | Rosapepe |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Gladden | Middleton | Zirkin |
| Glassman | | |

Voting Nay - 8

| | | |
|----------|--------|--------|
| Brinkley | Getty | Reilly |
| Colburn | Jacobs | Shank |
| Edwards | Pipkin | |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

| | |
|-------|------|
| Dyson | Muse |
|-------|------|

Senate of Maryland
2012 Regular Session

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 70

Third Reading (SB) Calendar No.15

Sen. Kelley

(JPR)

Family Law - Permanency Planning and Guardianship

Review Hearings - Court Procedures

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 80

Third Reading (SB) Calendar No.15
Sen. Zirkin

(JPR)

Courts - Evidence - Vehicle Repair Estimates

On Third Reading

42 Yeas 5 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 42

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jones-Rodwell | Pinsky |
| Brinkley | Kasemeyer | Pipkin |
| Conway J | Kelley | Pugh |
| Currie | King | Ramirez |
| DeGrange | Kittleman | Raskin |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |

Voting Nay - 5

| | | |
|---------|----------|--------|
| Brochin | Jacobs | Reilly |
| Colburn | Jennings | |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 128

Third Reading (SB) Calendar No.15

Ch., Jud. Proceed.

(JPR)

Abandoned Land - Certificates of Reservation for
Public Use

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 169

Third Reading (SB) Calendar No.15

Sen. Shank

(JPR)

State Government - Notary Public - Appointment

On Third Reading

42 Yeas 5 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 42

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Edwards | Klausmeier | Robey |
| Ferguson | Madaleno | Rosapepe |
| Forehand | Manno | Shank |
| Frosh | Mathias | Simonaire |
| Garagiola | McFadden | Young |
| Getty | Montgomery | Zirkin |

Voting Nay - 5

| | | |
|-------|-----------|-------|
| Astle | Glassman | Stone |
| Dyson | Middleton | |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 170

Third Reading (SB) Calendar No.15
Sen. Shank et al (JPR)
Washington County - Sheriffs and Deputy Sheriffs -
Practice of Law
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 198

Third Reading (SB) Calendar No.15
Anne Arundel Co. Sens et al (JPR)
Courts and Jud Proceedings - Circuit Court for
Anne Arundel Co - Fees for Appearance of Counsel
On Third Reading

46 Yeas 1 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | | |

Voting Nay - 1

Simonaire

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulation to
DR. ADAM RIESS
in recognition of receiving the 2011 Nobel in
Physics for discovering that the expansion rate of
the universe is accelerating.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| | | |
|---------------|---|-------|
| HB 438 | Laid-over Bills The Speaker et al Civil Marriage Protection Act Floor amendment Muse /413721/1 | (JPR) |
|---------------|---|-------|

17 Yeas 30 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 17

| | | |
|----------|----------|-----------|
| Benson | Getty | Pipkin |
| Brinkley | Glassman | Reilly |
| Colburn | Jacobs | Shank |
| DeGrange | Jennings | Simonaire |
| Dyson | Muse | Stone |
| Edwards | Peters | |

Voting Nay - 30

| | | |
|---------------|---------------|------------|
| Mr. President | Jones-Rodwell | Middleton |
| Astle | Kasemeyer | Montgomery |
| Brochin | Kelley | Pinsky |
| Conway J | King | Pugh |
| Currie | Kittleman | Ramirez |
| Ferguson | Klausmeier | Raskin |
| Forehand | Madaleno | Robey |
| Frosh | Manno | Rosapepe |
| Garagiola | Mathias | Young |
| Gladden | McFadden | Zirkin |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

HB 438

Laid-over Bills
The Speaker et al
Civil Marriage Protection Act

(JPR)

Floor amendment Muse /603825/1

17 Yeas 30 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 17

| | | |
|----------|----------|-----------|
| Brinkley | Glassman | Pipkin |
| Colburn | Jacobs | Reilly |
| DeGrange | Jennings | Shank |
| Dyson | McFadden | Simonaire |
| Edwards | Muse | Stone |
| Getty | Peters | |

Voting Nay - 30

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Middleton |
| Astle | Jones-Rodwell | Montgomery |
| Benson | Kasemeyer | Pinsky |
| Brochin | Kelley | Pugh |
| Conway J | King | Ramirez |
| Currie | Kittleman | Raskin |
| Ferguson | Klausmeier | Robey |
| Forehand | Madaleno | Rosapepe |
| Frosh | Manno | Young |
| Garagiola | Mathias | Zirkin |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
KAPPA ALPHA PSI FRATERNITY, INC.
in recognition of your celebration of more than 100
years of community service and your annual day in
Annapolis.

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

HB 438 Laid-over Bills
The Speaker et al (JPR)
Civil Marriage Protection Act

Floor amendment Reilly /223927/1

16 Yeas 29 Nays 2 Not Voting 0 Excused 0 Absent

Voting Yea - 16

| | | |
|----------|----------|-----------|
| Brinkley | Glassman | Peters |
| Colburn | Jacobs | Pipkin |
| DeGrange | Jennings | Reilly |
| Dyson | Mathias | Simonaire |
| Edwards | Muse | Stone |
| Getty | | |

Voting Nay - 29

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Jones-Rodwell | Pinsky |
| Benson | Kasemeyer | Pugh |
| Brochin | King | Ramirez |
| Conway J | Kittleman | Raskin |
| Currie | Klausmeier | Robey |
| Ferguson | Madaleno | Rosapepe |
| Forehand | Manno | Young |
| Frosh | McFadden | Zirkin |
| Garagiola | Middleton | |

Not Voting - 2

| | |
|--------|-------|
| Kelley | Shank |
|--------|-------|

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

HB 438

Laid-over Bills
The Speaker et al
Civil Marriage Protection Act

(JPR)

Floor amendment Reilly /473722/1

15 Yeas 31 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 15

| | | |
|----------|----------|-----------|
| Brinkley | Getty | Pipkin |
| Colburn | Jacobs | Reilly |
| DeGrange | Jennings | Shank |
| Dyson | Muse | Simonaire |
| Edwards | Peters | Stone |

Voting Nay - 31

| | | |
|---------------|---------------|------------|
| Mr. President | Jones-Rodwell | Middleton |
| Astle | Kasemeyer | Montgomery |
| Benson | Kelley | Pinsky |
| Brochin | King | Pugh |
| Conway J | Kittleman | Ramirez |
| Currie | Klausmeier | Raskin |
| Ferguson | Madaleno | Robey |
| Forehand | Manno | Rosapepe |
| Frosh | Mathias | Young |
| Garagiola | McFadden | Zirkin |
| Gladden | | |

Not Voting - 1

Glassman

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

HB 438

Laid-over Bills
The Speaker et al
Civil Marriage Protection Act

(JPR)

Floor amendment Simonaire /203026/2

17 Yeas 30 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 17

| | | |
|----------|----------|-----------|
| Brinkley | Getty | Pipkin |
| Brochin | Glassman | Reilly |
| Colburn | Jacobs | Shank |
| DeGrange | Jennings | Simonaire |
| Dyson | Muse | Stone |
| Edwards | Peters | |

Voting Nay - 30

| | | |
|---------------|---------------|------------|
| Mr. President | Jones-Rodwell | Middleton |
| Astle | Kasemeyer | Montgomery |
| Benson | Kelley | Pinsky |
| Conway J | King | Pugh |
| Currie | Kittleman | Ramirez |
| Ferguson | Klausmeier | Raskin |
| Forehand | Madaleno | Robey |
| Frosh | Manno | Rosapepe |
| Garagiola | Mathias | Young |
| Gladden | McFadden | Zirkin |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

HB 438

Laid-over Bills
The Speaker et al
Civil Marriage Protection Act

(JPR)

Floor amendment Simonaire /623527/1

11 Yeas 34 Nays 2 Not Voting 0 Excused 0 Absent

Voting Yea - 11

Brinkley
Colburn
Edwards
Getty

Jacobs
Jennings
Pipkin
Reilly

Shank
Simonaire
Stone

Voting Nay - 34

Mr. President
Astle
Benson
Brochin
Conway J
Currie
DeGrange
Dyson
Ferguson
Forehand
Frosh
Garagiola

Gladden
Jones-Rodwell
Kasemeyer
Kelley
King
Kittleman
Klausmeier
Madaleno
Manno
Mathias
McFadden

Middleton
Montgomery
Peters
Pinsky
Pugh
Ramirez
Raskin
Robey
Rosapepe
Young
Zirkin

Not Voting - 2

Glassman

Muse

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 129

Third Reading (SB) Calendar No.16

Chair, EHE Com.

(EHE)

Maryland Agricultural Land Preservation Foundation

- Easements

On Third Reading

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 1

Kelley

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 131

Third Reading (SB) Calendar No.16

Sen. Middleton et al

(JPR)

Criminal Procedure - Warrantless Arrests - Theft

Crimes

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 142

Third Reading (SB) Calendar No.16
Chair, EHE Com.

(EHE)

Secretary of Agriculture - Farm Food Safety

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 193

Third Reading (SB) Calendar No.16

Sen. Young et al

(EHE)

Agriculture - Maryland Standard of Identity for
Honey

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 205 Third Reading (SB) Calendar No.16
Sen. Edwards (JPR)
Garrett County - Correctional Officers' Bill of
Rights
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 255 Third Reading (SB) Calendar No.16
Sen. Edwards (EHE)
Garrett County - Alcoholic Beverages - Criminal
History Records Checks
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 421

Third Reading (SB) Calendar No.16

Sen. Mathias

(EHE)

Public Safety - Explosives - Package of Components

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 484

Third Reading (SB) Calendar No.16
Sen. Kelley et al (FIN)
Managed Care Organizations - Medical Loss Ratio
Information - Publication
On Third Reading

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 1

Forehand

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 111 Third Reading (SB) Calendar No.17
Ch., Jud. Proceed. (JPR)
Vehicle Laws - Identification Cards and Drivers'
Licenses - Period of Validity
On Third Reading

46 Yeas 1 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 1

Brochin

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| |
|---|
| SB 116 Third Reading (SB) Calendar No.17 Ch., Jud. Proceed. (JPR) Vehicle Laws - Weight and Load Requirements - Vehicles Carrying Perishable Products On Third Reading |
|---|

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| | |
|---------------|---|
| SB 177 | Third Reading (SB) Calendar No.17 Sen. Robey et al (JPR) Vehicle Laws - Nonfunctioning Traffic Control Signals - Requirement to Stop On Third Reading |
|---------------|---|

45 Yeas 2 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 45

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Colburn | Jones-Rodwell | Pipkin |
| Conway J | Kasemeyer | Pugh |
| Currie | Kelley | Ramirez |
| DeGrange | King | Raskin |
| Dyson | Kittleman | Reilly |
| Edwards | Klausmeier | Robey |
| Ferguson | Madaleno | Rosapepe |
| Forehand | Manno | Simonaire |
| Frosh | Mathias | Stone |
| Garagiola | McFadden | Young |
| Getty | Middleton | Zirkin |

Voting Nay - 2

| | |
|---------|-------|
| Brochin | Shank |
|---------|-------|

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 227 Third Reading (SB) Calendar No.17
Ch., Finance Com. (FIN)
Md Health Care Commission - Assessment of Fees and
Md Trauma Physician Services Fund - Revisions
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 230

Third Reading (SB) Calendar No.17

Ch., Finance Com.

(FIN)

Insurance - Maryland Health Care Provider Rate

Stabilization Fund

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 232 Third Reading (SB) Calendar No.17
Ch., Finance Com. (FIN)
Elevator Safety Review Board - Licensing

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 256

Third Reading (SB) Calendar No.17

Sen. Astle

(FIN)

Property and Casualty Insurance - Commercial

Policies - Notices of Premium Increases

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 374

Third Reading (SB) Calendar No.17

Sen. Mathias

(FIN)

Town of Ocean City - Criminal History Records

Check - Taxi Driver Applicants

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| |
|--|
| SB 405 Third Reading (SB) Calendar No.17 Sen. Pugh et al (FIN) Life Sciences Advisory Board - Purpose and Membership On Third Reading |
|--|

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

44 Yeas 0 Nays 3 Not Voting 0 Excused 0 Absent

Voting Yea - 44

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 3

| | | |
|----------|---------|-------|
| Forehand | Gladden | Stone |
|----------|---------|-------|

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

HB 438 Third Reading (HB) Calendar No.1
The Speaker et al (JPR)
Civil Marriage Protection Act

Floor amendment DeGrange /133629/1

17 Yeas 30 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 17

| | | |
|----------|------------|-----------|
| Brinkley | Glassman | Pipkin |
| Colburn | Jacobs | Reilly |
| DeGrange | Jennings | Shank |
| Dyson | Klausmeier | Simonaire |
| Edwards | Muse | Stone |
| Getty | Peters | |

Voting Nay - 30

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Middleton |
| Astle | Jones-Rodwell | Montgomery |
| Benson | Kasemeyer | Pinsky |
| Brochin | Kelley | Pugh |
| Conway J | King | Ramirez |
| Currie | Kittleman | Raskin |
| Ferguson | Madaleno | Robey |
| Forehand | Manno | Rosapepe |
| Frosh | Mathias | Young |
| Garagiola | McFadden | Zirkin |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

HB 438 Third Reading (HB) Calendar No.1
The Speaker et al (JPR)
Civil Marriage Protection Act

On third reading

25 Yeas 22 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 25

| | | |
|---------------|------------|----------|
| Brochin | Kelley | Pinsky |
| Conway J | King | Pugh |
| Ferguson | Kittleman | Ramirez |
| Forehand | Klausmeier | Raskin |
| Frosh | Madaleno | Robey |
| Garagiola | Manno | Rosapepe |
| Gladden | McFadden | Young |
| Jones-Rodwell | Montgomery | Zirkin |
| Kasemeyer | | |

Voting Nay - 22

| | | |
|---------------|-----------|-----------|
| Mr. President | Edwards | Muse |
| Astle | Getty | Peters |
| Benson | Glassman | Pipkin |
| Brinkley | Jacobs | Reilly |
| Colburn | Jennings | Shank |
| Currie | Mathias | Simonaire |
| DeGrange | Middleton | Stone |
| Dyson | | |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to the
Eubie Blake National Jazz Institute & Cultural Center
in recognition of 40 years of commitment to maintain-
ing the legacy and integrity of African American
culture in Baltimore.

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Glassman | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Simonaire |
| Frosh | McFadden | Stone |
| Garagiola | Middleton | Young |
| Getty | Montgomery | Zirkin |
| Gladden | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2012 Regular Session**

**SPECIAL ORDERS
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 4

Question is shall the Senate advise and consent to
the nominations of the Chief Executive?

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

| | |
|--------------|---|
| SB 10 | Third Reading (SB) Calendar No.18 Sen. Colburn et al (B&T) Slot Machines for Nonprofit Organizations on the Eastern Shore - Uses of Proceeds On Third Reading (Emerg) |
|--------------|---|

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 1

Muse

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 145

Third Reading (SB) Calendar No.18
Chair, EHE Com.

(EHE)

State Real Estate Commission - Continuing
Education - Documentation
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| |
|---|
| SB 243 Third Reading (SB) Calendar No.18 Sen. Jones-Rodwell (B&T) Baltimore City - Hotel Room Tax - Convention Center Promotion On Third Reading |
|---|

46 Yeas 1 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|------------|
| Mr. President | Gladden | Montgomery |
| Astle | Glassman | Muse |
| Benson | Jacobs | Peters |
| Brinkley | Jennings | Pinsky |
| Brochin | Jones-Rodwell | Pipkin |
| Colburn | Kasemeyer | Pugh |
| Conway J | Kelley | Ramirez |
| Currie | King | Raskin |
| DeGrange | Kittleman | Reilly |
| Dyson | Klausmeier | Robey |
| Edwards | Madaleno | Rosapepe |
| Ferguson | Manno | Shank |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | | |

Voting Nay - 1

Simonaire

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

| |
|---|
| SB 246 Third Reading (SB) Calendar No.18 Sen. Conway (EHE) Secondhand Precious Metal Object Dealers - Securing and Tagging Items - Requirements On Third Reading |
|---|

46 Yeas 0 Nays 1 Not Voting 0 Excused 0 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 1

Middleton

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 251 Third Reading (SB) Calendar No.18
Sen. Jones-Rodwell (B&T)
Teachers' Ret and Pension Systems - Reemployment
of Retirees - Md School for the Deaf Exemp
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 266 Third Reading (SB) Calendar No.18
Sen. Brinkley et al (B&T)
Frederick County and Washington County - Property
Tax Credit - Job Creation by Small Businesses
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 292 Third Reading (SB) Calendar No.18
Sen. Garagiola et al (EHE)
Education - Veterans of the Afghanistan and Iraq
Conflicts Scholarship - Extension
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 357 Third Reading (SB) Calendar No.18
Sen. Jones-Rodwell (B&T)
State Retirement and Pension System - Medical
Board Participation
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 119 Third Reading (SB) Calendar No.19
Ch., Budget & Tax (B&T)
State Personnel and Pensions - Optional Retirement
Program - Maryland Higher Education Commission
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 173 Third Reading (SB) Calendar No.19
Sen. Klausmeier et al (EHE)
Public School Buildings - Carbon Monoxide
Detection and Warning Equipment
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 208 Third Reading (SB) Calendar No.19
Sen. Pinsky et al (EHE)
Environment - Recycling - Apartment Buildings and
Condominiums
On Third Reading

35 Yeas 12 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 35

| | | |
|---------------|---------------|----------|
| Mr. President | Gladden | Muse |
| Astle | Jones-Rodwell | Peters |
| Benson | Kasemeyer | Pinsky |
| Brochin | Kelley | Pugh |
| Conway J | King | Ramirez |
| Currie | Klausmeier | Raskin |
| DeGrange | Madaleno | Robey |
| Dyson | Manno | Rosapepe |
| Ferguson | Mathias | Stone |
| Forehand | McFadden | Young |
| Frosh | Middleton | Zirkin |
| Garagiola | Montgomery | |

Voting Nay - 12

| | | |
|----------|-----------|-----------|
| Brinkley | Glassman | Pipkin |
| Colburn | Jacobs | Reilly |
| Edwards | Jennings | Shank |
| Getty | Kittleman | Simonaire |

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 250 Third Reading (SB) Calendar No.19
Sen. Jones-Rodwell (B&T)
State Retirement and Pension System - Reemployment
of Retirees - Exemptions
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 259 Third Reading (SB) Calendar No.19
Harford Co. Senators et al (B&T)
Harford County - Harford Community College -
Authority to Incur Debt
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 262 Third Reading (SB) Calendar No.19
Sen. Montgomery (EHE)
Hlth Occups - Psychologists - Penalties for
Misrepresentation and Practicing Without a License
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 300

Third Reading (SB) Calendar No.19
Sen. Young et al
Frederick County - Public Facilities Bonds

(B&T)

On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

Senate of Maryland
2012 Regular Session

SB 660 Third Reading (SB) Calendar No.19
Carroll Co. Senators et al (EHE)
Carroll County - Board of Education - Selection of
Student Member
On Third Reading

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum

47 Yeas 0 Nays 0 Not Voting 0 Excused 0 Absent

Voting Yea - 47

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Kittleman | Robey |
| Dyson | Klausmeier | Rosapepe |
| Edwards | Madaleno | Shank |
| Ferguson | Manno | Simonaire |
| Forehand | Mathias | Stone |
| Frosh | McFadden | Young |
| Garagiola | Middleton | Zirkin |
| Getty | Montgomery | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Kittleman

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to the
Maryland School for the Deaf Football Team
in recognition of winning its 9th consecutive
National Championship. Congratulations on an
undefeated season.

44 Yeas 0 Nays 2 Not Voting 0 Excused 1 Absent

Voting Yea - 44

| | | |
|---------------|---------------|-----------|
| Mr. President | Getty | Muse |
| Astle | Gladden | Peters |
| Benson | Glassman | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Ramirez |
| Colburn | Kasemeyer | Raskin |
| Conway J | Kelley | Reilly |
| Currie | King | Robey |
| DeGrange | Klausmeier | Rosapepe |
| Dyson | Madaleno | Shank |
| Edwards | Manno | Simonaire |
| Ferguson | Mathias | Stone |
| Forehand | McFadden | Young |
| Frosh | Middleton | Zirkin |
| Garagiola | Montgomery | |

Voting Nay - 0

Not Voting - 2

| | |
|--------|------|
| Jacobs | Pugh |
|--------|------|

Excused from Voting - 0

Excused (Absent) - 1

Kittleman

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Old Mill High School Football Team
in recognition of winning the 2011 Class 4A State
Football Championship. We applaud your outstanding
season and wish you many more. Congratulations!

45 Yeas 0 Nays 1 Not Voting 0 Excused 1 Absent

Voting Yea - 45

| | | |
|---------------|---------------|-----------|
| Mr. President | Getty | Muse |
| Astle | Gladden | Peters |
| Benson | Glassman | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |

Voting Nay - 0

Not Voting - 1

Jacobs

Excused from Voting - 0

Excused (Absent) - 1

Kittleman

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Bethesda Chevy Chase High School Girls Soccer Team
in recognition of winning its 4th consecutive 4A
State Championship. We applaud your outstanding
season and wish you many more. Congratulations

43 Yeas 0 Nays 3 Not Voting 0 Excused 1 Absent

Voting Yea - 43

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Peters |
| Benson | Glassman | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | King | Raskin |
| Currie | Klausmeier | Reilly |
| DeGrange | Madaleno | Robey |
| Dyson | Manno | Rosapepe |
| Edwards | Mathias | Shank |
| Ferguson | McFadden | Simonaire |
| Forehand | Middleton | Stone |
| Frosh | Montgomery | Young |
| Garagiola | Muse | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 3

| | | |
|-------|--------|--------|
| Astle | Jacobs | Kelley |
|-------|--------|--------|

Excused from Voting - 0

Excused (Absent) - 1

Kittleman

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
University of Maryland College Park
in recognition of "Terrapin Pride Day" and the out-
standing achievements of the State's flagship campus
and the benefits the University brings to Maryland.

45 Yeas 0 Nays 1 Not Voting 0 Excused 1 Absent

Voting Yea - 45

| | | |
|---------------|---------------|-----------|
| Mr. President | Getty | Muse |
| Astle | Gladden | Peters |
| Benson | Glassman | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |

Voting Nay - 0

Not Voting - 1

Jacobs

Excused from Voting - 0

Excused (Absent) - 1

Kittleman

**Senate of Maryland
2012 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
North Hagerstown High School Girls Volleyball Team
in recognition of becoming the 2011-2012 Class 3A
Maryland State Girls Volleyball Champions. We applaud
your outstanding season and wish you many more.

45 Yeas 0 Nays 1 Not Voting 0 Excused 1 Absent

Voting Yea - 45

| | | |
|---------------|---------------|-----------|
| Mr. President | Getty | Muse |
| Astle | Gladden | Peters |
| Benson | Glassman | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |

Voting Nay - 0

Not Voting - 1

Jacobs

Excused from Voting - 0

Excused (Absent) - 1

Kittleman

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Glassman | Peters |
| Benson | Jacobs | Pinsky |
| Brinkley | Jennings | Pipkin |
| Brochin | Jones-Rodwell | Pugh |
| Colburn | Kasemeyer | Ramirez |
| Conway J | Kelley | Raskin |
| Currie | King | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Kittleman

**Senate of Maryland
2012 Regular Session**

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Glassman

**Senate of Maryland
2012 Regular Session**

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

Voting Yea - 46

| | | |
|---------------|---------------|-----------|
| Mr. President | Gladden | Muse |
| Astle | Jacobs | Peters |
| Benson | Jennings | Pinsky |
| Brinkley | Jones-Rodwell | Pipkin |
| Brochin | Kasemeyer | Pugh |
| Colburn | Kelley | Ramirez |
| Conway J | King | Raskin |
| Currie | Kittleman | Reilly |
| DeGrange | Klausmeier | Robey |
| Dyson | Madaleno | Rosapepe |
| Edwards | Manno | Shank |
| Ferguson | Mathias | Simonaire |
| Forehand | McFadden | Stone |
| Frosh | Middleton | Young |
| Garagiola | Montgomery | Zirkin |
| Getty | | |

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Glassman